



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: July 19, 2006

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Jennifer M. Perrin

Interim City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), regarding Association of Lodi City Employees (General Services and Maintenance and Operators), pursuant to Government Code §54957.6
- b) Actual Litigation: Government Code §54956.9(a); one case; County of San Joaquin v. City of Stockton et al., San Joaquin County Superior Court, Case No. CV029651
- c) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- d) Actual litigation: Government Code §54956.9; one application; Parry Ray v. City of Lodi; WCAB Case Number STK176332 – 10/08/01

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor Dale Edwards, Century Assembly Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations

- a) National Night Out (PD)

D-3 Presentations

- a) Presentation of Resolution of Appreciation to Landmark Innovative Industries for its generous donation of services to design and prepare the "In God We Trust" plaque

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$2,357,889.30 (FIN)

- E-2 Approve minutes (CLK)
 - a) June 6, 2006 (Shirtsleeve Session)
 - b) June 7, 2006 (Regular Meeting)
 - c) July 4, 2006 (Shirtsleeve Session)
 - d) July 11, 2006 (Shirtsleeve Session)
- E-3 Authorize sale of asphalt grindings as surplus property during calendar year 2006 (PW)
- E-4 Accept donation of artwork from winner of the community art painting at the Lodi Arts Commission Art on the Square (CLK)
- Res. E-5 Adopt resolution authorizing the City Manager to execute Contract Change Order for the Elm Street Paving Stone Replacement Project, School Street to Sacramento Street, and appropriating funds (\$45,000) (PW)
- Res. E-6 Adopt resolutions approving renewal of existing downtown parking lot cleaning contract and Hutchins Street Square landscape maintenance contract with United Cerebral Palsy of San Joaquin and Amador Counties, of Stockton, for fiscal year 2006-07 (\$59,840) (PW / COM)
- Res. E-7 Adopt resolution authorizing the City Manager to execute contract with San Joaquin County Sheriff's Office for Alternative Work Program for general maintenance within the City Parks and Recreation Facilities and Public Works Street Division (PW / PR)
- Res. E-8 Adopt resolution authorizing the City Manager to execute the service/maintenance agreement for Data 911 (\$80,000) (PD)
- Res. E-9 Adopt resolution accepting funds in the amount of \$23,355 from the Bureau of Justice Assistance to support technology program activities within the Lodi Police Department (PD)
- Res. E-10 Adopt resolution setting priorities for filing written arguments regarding the Low-Income Discounts for Water and Sewer Services measure scheduled for the November 7, 2006, General Municipal Election and directing the City Attorney to prepare an impartial analysis (CLK)
- E-11 Authorize funds from the Protocol Account for the City Council to host a reception honoring members of Council-appointed boards, commissions, committees, and task force groups (approximately \$2,600 / \$20 per person) (CLK)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings – None

J. Communications

- J-1 Claims filed against the City of Lodi
 - a) Amber L. Novak, date of loss 5/19/06
 - b) Bethsaida Bahena, date of loss 12/14/05
 - c) Janis Southard, date of loss 6/14/06

J-2 Appointments

- a) Appointments to the Greater Lodi Area Youth Commission (Adult Advisors), Library Board of Trustees, Lodi Arts Commission, and Lodi Planning Commission (CLK)

J-3 Miscellaneous

- a) Monthly Protocol Account Report (CLK)

K. Regular Calendar

- Res. K-1 Adopt resolution affirming July 1 opening and October 1 closing date for filing applications for residential allocations under the Lodi Growth Management Ordinance and direct staff to work with the development community to establish a new timeline for Council approval of various elements of development approvals (CA)

NOTE: This item is carried over from the meetings of 6/21/06 and 7/05/06

- K-2 Provide direction regarding scheduling and type of action the Council may take at informal informational meetings referred to as "Shirtsleeve" City Council meetings (CM)

NOTE: This item is carried over from the meeting of 7/05/06

- K-3 Review and discussion of current regulations pertaining to food vending vehicles (CD)

NOTE: This item is carried over from the meeting of 7/05/06

- Ord. K-4 Introduce ordinance amending Lodi Municipal Code Title 5 – Permits and Regulations –
(Introduce) Chapter 5.40, "Adult-Oriented Businesses," by repealing and reenacting Section 5.40.020, "Location of Adult-Oriented Businesses," to add "Residentially-Zoned Property" to the list of land uses subject to distance regulations regarding the location of adult-oriented businesses; and repealing and reenacting Section 5.40.400(D)(1) to delete the requirement that employees of adult-oriented business be fingerprinted as part of the employee license process (CA)

NOTE: This item is carried over from the meeting of 7/05/06

- Ord. K-5 Introduce ordinance amending Lodi Municipal Code Title 17 – Zoning – Chapter 17.39,
(Introduce) "C-2 General Commercial District," and Chapter 17.42, "C-M Commercial-Light Industrial District," to add card rooms as a permitted use, with a use permit, in both the C-2 and C-M zoning districts (CA)

NOTE: This item is carried over from the meeting of 7/05/06

- Res. K-6 Adopt resolution approving a line of credit with Farmers and Merchants Bank for the Lodi Electric Utility (\$3,000,000) (CM)

- Res. K-7 Adopt separate resolutions approving water supply assessment reports for Reynolds Ranch Res. Project and Westside-Southwest Gateway Project (PW)

- K-8 Request City Council set date for joint City Council and Planning Commission kick-off meeting for General Plan update (CD)

- K-9 Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program Litigation and various other cases being handled by outside counsel (\$150,395.24) (CA)

L. Ordinances – None

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Jennifer M. Perrin
Interim City Clerk



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: National Night Out 2006 Proclamation

MEETING DATE: July 19, 2006

PREPARED BY: Jerry J. Adams, Chief of Police

RECOMMENDED ACTION: That Mayor Hitchcock present a proclamation proclaiming Tuesday, August 1, 2006 as "National Night Out 2006".

BACKGROUND INFORMATION: The Mayor has been requested to present a proclamation proclaiming August 1, 2006 as "National Night Out 2006" in the City of Lodi. Police Chief Jerry Adams and Crime Prevention Officer Andrea Patterson of the Lodi Police Department will be present to accept the proclamation.

FISCAL IMPACT: None

FUNDING AVAILABLE: N/A

Jerry J. Adams
Chief of Police

JJA:sm
cc: City Attorney

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Presentation of Resolution of Appreciation to Landmark Innovative Industries for Its Generous Donation of Services to Design and Prepare the "In God We Trust" Plaque

MEETING DATE: July 19, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Council Member Mounce present a Resolution of Appreciation to Landmark Innovative Industries for its generous donation of services to design and prepare the "In God We Trust" plaque.

BACKGROUND INFORMATION: At its meeting of April 5, the City Council adopted a resolution to display the National motto, "In God We Trust," on a plaque in the lobby of Carnegie Forum. Subsequently, Landmark Innovative Industries offered to design and prepare the plaque at no cost to the City. A representative from Landmark Innovative Industries will be at the meeting to accept the resolution.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None.

Jennifer M. Perrin
Interim City Clerk

JMP

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive Register of Claims Dated July 5, 2006 in the Amount of \$2,357,889.30

MEETING DATE: July 19, 2006

PREPARED BY: Management Analyst

RECOMMENDED ACTION: That the City Council receive the attached Register of Claims. The disclosure of the PCE/TCE expenditures is shown as a separate item on the Register of Claims.

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of \$2,357,889.30 dated 7/5/2006 which includes PCE/TCE payments of \$85,380.85 and Payroll in the amount of \$1,203,135.08

FISCAL IMPACT: n/a

FUNDING AVAILABLE: As per attached report.

Ruby R Paiste, Interim Finance Director

RRP/kb

Attachments

APPROVED: _____
Blair King, City Manager

Accounts Payable	Page	-	1
Council Report	Date	- 07/05/06	
As of	Fund	Name	Amount
Thursday			

06/22/06	00100	General Fund	469,133.76
	00160	Electric Utility Fund	38,731.27
	00164	Public Benefits Fund	38,671.03
	00170	Waste Water Utility Fund	14,021.35
	00180	Water Utility Fund	645.88
	00210	Library Fund	20,440.10
	00310	Worker's Comp Insurance	20,447.66
	00332	IMF(Regional) Streets	2,724.78
	00340	Comm Dev Special Rev Fund	1,333.81
	01211	Capital Outlay/General Fund	5,089.48
	01250	Dial-a-Ride/Transportation	279,584.11
	01410	Expendable Trust	8,290.86

Sum			899,114.09
	00183	Water PCE-TCE	85,214.91

Sum			85,214.91

Total for Week			
Sum			984,329.00

Accounts Payable	Page	-	1
Council Report	Date	- 07/05/06	
As of	Fund	Name	Amount
Thursday			

06/29/06	00100	General Fund	680,085.74
	00160	Electric Utility Fund	1,068.77
	00161	Utility Outlay Reserve Fund	30,022.95
	00164	Public Benefits Fund	25.00
	00170	Waste Water Utility Fund	10,273.92
	00172	Waste Water Capital Reserve	430,126.93
	00173	IMF Wastewater Facilities	8,652.00
	00180	Water Utility Fund	1,794.04
	00182	IMF Water Facilities	12,338.26
	00190	Central Plume	14,616.78
	00194	South Central Western Plume	2,332.20
	00210	Library Fund	3,323.97
	00235	LPD-Public Safety Prog AB 1913	6,060.18
	00270	Employee Benefits	31,331.90
	00300	General Liabilities	6,099.42
	00325	Measure K Funds	21,387.27
	00326	IMF Storm Facilities	9,662.00
	00337	Traffic Congestion Relf-AB2928	51,826.50
	00340	Comm Dev Special Rev Fund	18,384.97
	00459	H U D	1,177.68
	00501	Lcr Assessment 95-1	1,272.88
	00510	SJ MultiSpecies Habitat Conser	222.32
	01217	IMF Parks & Rec Facilities	12,772.00
	01218	IMF General Facilities-Adm	2,157.04
	01250	Dial-a-Ride/Transportation	8,890.92
	01410	Expendable Trust	7,488.72

Sum			1,373,394.36
	00183	Water PCE-TCE	165.94

Sum			165.94

Total for Week			
Sum			1,373,560.30

Date - 07/05/06

Payroll	Pay Per Date	Co	Name	Gross Pay
Regular	06/18/06	00100	General Fund	868,401.79
		00160	Electric Utility Fund	141,918.11
		00164	Public Benefits Fund	5,023.97
		00170	Waste Water Utility Fund	72,600.24
		00180	Water Utility Fund	9,620.43
		00210	Library Fund	32,314.07
		00235	LPD-Public Safety Prog AB 1913	185.55
		00340	Comm Dev Special Rev Fund	38,409.86
		01250	Dial-a-Ride/Transportation	2,852.17
Pay Period Total:				
Sum				1,171,326.19
Retiree	07/31/06	00100	General Fund	31,808.89
Pay Period Total:				
Sum				31,808.89



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Minutes
a) June 6, 2006 (Shirtsleeve Session)
b) June 7, 2006 (Regular Meeting)
c) July 4, 2006 (Shirtsleeve Session)
d) July 11, 2006 (Shirtsleeve Session)

MEETING DATE: July 19, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council approve the following minutes as prepared:
a) June 6, 2006 (Shirtsleeve Session)
b) June 7, 2006 (Regular Meeting)
c) July 4, 2006 (Shirtsleeve Session)
d) July 11, 2006 (Shirtsleeve Session)

BACKGROUND INFORMATION: Attached are copies of the subject minutes, marked Exhibit A through D.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Jennifer M. Perrin
Interim City Clerk

JMP
Attachments

APPROVED: _____
Blair King, City Manager

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JUNE 6, 2006**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, June 6, 2006, commencing at 7:01 a.m.

A. ROLL CALL

Present: Council Members – Beckman, Hansen, Johnson, Mounce, and Mayor Hitchcock
Absent: Council Members – None
Also Present: City Manager King, Deputy City Attorney Magdich, and Interim City Clerk Perrin

B. TOPIC(S)

B-1 "Continued presentation of the fiscal year 2006-07 recommended draft budget"

With the aid of a PowerPoint presentation (filed), Electric Utility Director Morrow reported that the fiscal year 2006-07 budget is balanced, the sales forecast is updated, which indicates that power costs will be lower, and the costs associated with normal capital have been included in the rates in order to avoid utilizing bond proceeds.

Council Member Beckman questioned how the capital costs are allocated through the rates (i.e. on a per kilowatt or a per customer basis), to which Mr. Morrow responded that they are paid from regular retail revenues equally from all rate classes. Electric Utility staff will be reporting to Council at a future Shirtsleeve Session regarding capital costs for line extensions, new development, and for cost recovery.

Mr. Morrow reviewed the breakdown of costs for administration, planning, operations, and construction and pointed out that capital costs were rolled into those figures, which explains the zero balance in capital for 2006-07 as compared to \$1.5 million in the current budget year. The total net effect between the two budget years is an increase of \$73,754.

In response to Council Member Hansen, Mr. Morrow explained that the increase in debt service was a result of the variable cost element in the swap agreement and the rising interest rates. Mr. Hansen stated that the City was at a fixed rate until the previous administration changed it to a variable rate, for which the City is now paying the price.

Deputy City Manager Krueger explained that there were several swaps for different purposes, which included changing from a fixed to variable rate as well as hedges that were intended to protect the City should variable rates increase too high. He noted that, on one of the swaps, the City received \$4.3 million in fiscal year 2003-04.

In response to Council Member Hansen, Mr. Krueger stated that he would provide Council with information on what the City was paying on the fixed rate, what it is paying now on the variable rate, and what the ceiling is.

Mr. King reported that the City's debt service payments for fiscal year 2006-07 for Electric Utility will be in excess of \$6 million and it is calculated that fiscal years 2007-08 and 2008-09 will increase to \$7 million.

Council Member Hansen commented that a rational approach would be to lock in at a fixed interest rate so as not to be subject to the volatility of the economy. The \$4.3 million received as a result of the change to the lower variable rate was a short-term cash infusion, but the risk was paying a higher price down the road.

Mr. Morrow reported that the capital budget includes the major capital projects that will be paid from bond proceeds. Those projects include the scaled-back Killelea Substation and completion of the extension of the west side 60kV line, which will connect to a new substation to the west. Net revenue for this current year is \$6 million and is projected to be \$13 million in 2006-07, which will cover the debt service and in-lieu of transfer. The 2006-07 budget moves the Utility from a negative \$7 million to a balanced budget. Retail revenues projected for the next fiscal year are \$65 million, which is a \$7 million, or 12%, increase. This figure includes a full year of the rate increases; whereas, in fiscal year 2005-06, those revenues were realized for a partial year. On the power supply side, the projected net income for fiscal year 2005-06 is on target.

Lodi's budget amount for the Northern California Power Agency (NCPA) for next year is \$41.9 million, which represents a 5% decrease. NCPA has four categories of costs: 1) generation, which includes the power plants it operates and maintains for the members; 2) transmission, which includes costs associated with the Transmission Agency of Northern California and the California Independent System Operator (CAISO); 3) management services, which includes legislative and regulatory, power supply management, planning, and its system operations; and 4) third-party revenue, which accounts for reductions in cost for sales that NCPA makes. NCPA's total budget for fiscal year 2006-07 is \$296 million, which is a decrease of 1.2%. After deducting \$30 million from sales in the third-party revenue category, the net bill to NCPA members is \$266 million, for which Lodi would pay its proportional share. NCPA is anticipating a significant drop next year as some of its debt service matures. In 2011, the geothermal, transmission, and combustion turbine bonds all pay off.

Mayor Pro Tempore Johnson questioned whether NCPA had a history of refinancing existing projects to fund future capital projects, to which Mr. Morrow responded that it does not; however, he believed that NCPA would take advantage of refinancing if there were favorable market conditions.

There are 167 full-time employees at NCPA, with the bulk of the employees in the power management side. The NCPA member cost forecast indicates a trend that costs have increased from last year and, for most members, it reflects an impact of the market and open position.

In response to Mayor Hitchcock, Mr. Morrow stated that Roseville is moving outside of the NCPA pool and will manage its own resources by either contracting the service out or hiring additional staff. The primary reason behind Roseville's decision is the issue on the control area. It has moved out of the CAISO controlled area and into the Western/Sacramento Municipal Utility District (SMUD) control area.

City Manager King added that the significance of Roseville stepping out of NCPA is that the fixed costs will be spread out over the remaining base and that costs will increase. NCPA's response has been to bring Bay Area Rapid Transit (BART) in as a member to replace Roseville. The city of Roseville will remain a part of NCPA on joint action and lobbying issues but not for power purchases.

Mayor Pro Tempore Johnson stated that the Roseville situation highlights the need for the City's interconnection to Western and he questioned, with the City's financial position, how that project could be moved to the forefront.

Mr. Morrow replied that the goal is to bring the transmission line project forward in conjunction with the Lodi project at White Slough, which is anticipated for 2009-10. It appears that the Lodi project now has a higher probability due to the fact that the Resource 500 project is deferred. There may be some ancillary benefits to other NCPA participants in that project, which could provide some financial support.

Council Member Hansen reported that significant improvement has been made at NCPA to create a policy to deal with member agencies leaving the joint powers authority. The plan is that members would provide a seven-year notice in order to allow time to make the necessary adjustments and to lessen the impact among the remaining members.

Mr. Morrow reported that NCPA has a concept of what each member should have in reserves, which can be stored at NCPA in its general operating reserve (GOR) or with the member agency directly. Because of the City's current financial condition, the GOR will be lower than what NCPA prefers. There are only two sources for the GOR: one is the difference between NCPA's estimated bill and the actual costs and the second is special payments received by NCPA for settlements of rate cases or lawsuits.

Mr. Krueger reported that the balance of the GOR in 1996-97 was \$18 million; earlier this fiscal year, it was \$700,000; and the current balance is \$2.5 million. In 1996, the GOR amount was not shown in the City's records; however, it is presently reflected in the City's Comprehensive Annual Financial Report (CAFR) with the amount updated each month upon receipt of a statement from NCPA.

Mr. Morrow added that the City will utilize a portion of the GOR this year to balance the budget; however, there is no plan to spend the GOR next year so that it may rebuild. The \$5 million reserve level is not reflective of what the Utility should have in total reserves because an additional amount should be included for working capital.

In response to Mayor Pro Tempore Johnson, Mr. Morrow explained that the GOR typically grows an average of \$70,000 to \$80,000 per month, or \$1 million annually.

Mr. Morrow reported that the charter for the CAISO is to monitor and operate the transmission system and its costs for doing so have grown dramatically from \$500,000 a month in 2003-04 to \$2.5 million a month starting in 2005. CAISO has instituted a new transmission service charge methodology for transmission from third parties. There is a new trend in the Federal Energy Regulatory Commission to allow higher rates of return for transmission, over which the City has very little control. The potential to see future increases does still exist, which is another reason to have a healthy reserve level.

In October 2005, the City purchased 115,070 megawatt hours at \$100 per megawatt hour for a total amount of \$11 million. Had the City purchased the power in April or May 2005, it would have saved \$4 million. The high point of the market came in December 2005, and had the City waited, it would have cost an additional \$1 million. Mr. Morrow demonstrated how vastly the market can fluctuate.

Council Member Hansen stated that the Council and City Manager were led to believe that the power had been purchased at the lower prices in April when they were not, which caused the need to make the purchase in October.

Mr. Morrow reported that debt service is projected to increase \$500,000, or 8%. The Electric Utility Department has three divisions: construction and maintenance; business, planning, and resources; and engineering and operations. The current staffing level is 45 full-time employees with 19 mandated vacancies. In addition, Electric Utility employs seven contract employees, three of which Mr. Morrow would like to transition into permanent positions: one energy specialist, one utility equipment operator, and one drafting technician. The funds to accomplish this are incorporated in the budget. The remaining contract employees (i.e. two meter readers and two estimators) are on a part-time basis, and Mr. Morrow recommended that those positions continue in that capacity.

In response to Council Member Hansen, Mr. Morrow stated that the two manager positions for the business, planning, and resources division and the engineering and operations division are not currently filled and funds have been budgeted for next year. Mr. Morrow reminded Council that Electric Utility absorbed seven additional positions for collections and meter reading that previously reported to the Finance Department.

City Manager King stated that, as part of tracking the history of the position control in Electric Utility, it was discovered that no regular position had been filled through Human Resources since 1996. It was speculated that those positions were filled as contract employees by unilateral action of the Electric Utility Director in order to bypass established City policies and procedures. Staff is now in the process of inventorying the positions to see which have gone through the approval process, in order to give everyone an equal opportunity to participate in the application and selection process.

Mr. Morrow reported that currently the City is rated BBB+ with a negative outlook that came out of last year's energy crisis. The core issue is that the City will not meet its liquidity target of \$3 million. Staff recently met with Fitch, one of the City's bond rating agencies, to convey this information, and it is unknown at this time what the outcome will be.

Mr. Krueger reported that the City is at the conclusion of a systematic reduction of resources in the Electric Utility Department. Staff anticipates having \$1.7 million in reserves at the end of this fiscal year. In 1996, the City's reserve level was \$23 million. Mr. Krueger outlined the various swaps that took place from 1999 through 2003.

Council Member Hansen stated that, had the electric rates been increased during that time, the City could have avoided the swap and the long-term ramifications that it is now facing. The management approach at the time was to borrow and move funds around, rather than dealing with the issue of increasing rates to pay for the cost of service.

Mr. Krueger agreed and stated that the City bought its way out of a ten-year Calpine contract for \$42 million, which was not reflected as a cost; it was shown as an asset that was amortized over several years. That alone reflected the need for a rate increase. The disadvantage of delaying the rate increase was that the City did not realize the full impact of the revenues. The City should have entered into one-year contracts to get the best price on energy, which is the City's current strategy.

City Manager King stated that the price for energy in the Calpine agreement was \$65 per megawatt hour; it was not a good deal and the contract was bought out. There was an additional debt load that the City took on to avoid the cost and no revenue was brought in to cover the additional piece. The cost should have been accounted for in the rates, and the buy out should have been hedged on the lower side.

Mr. Krueger reported that in 1996 the City had \$20 million in assets, a small amount of liabilities, and a good ratio between total assets and net assets, which then increased to \$40 million over the next few years. If Electric Utility had been sold at that time, the "book value" of those assets would have been \$40 million. In 1999, there was a debt issuance and the City's assets grew; however, the net book value declined. Another debt issuance was done in 2002-03 to buy out the Calpine contract, for which there was no value to that asset. That reduced the assets to a negative net book value, which meant that, if the City had sold the assets, it would have received less proceeds than the assets were worth. To reduce the negative net book value, a rate increase should have been implemented. Electric Utility was in its best financial condition in 1997-98. During the last ten years, there has been a change in practice to reflect the depreciation of resources that took place previously and to bring the value of those assets back up to a financially sound basis.

The in-lieu of and cost of services transfers were highest in 2002-03; however, since then, the percentage has decreased to reflect the actual cost in providing the service. In the past, it was a straight percentage of sales revenues.

In response to Mayor Hitchcock, Mr. Krueger reported that staff reviewed Electric Utility's quarterly report with representatives of Fitch. They are very concerned with the City's thin liquidity margin. The quarterly report was also sent to Standard and Poors; however, no representatives were available to review the information with the City.

In response to Mayor Hitchcock, Council Member Hansen responded that Fitch would like the City to implement a rate increase, possibly within the next six to nine months.

Continued June 6, 2006

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:52 a.m.

ATTEST:

Jennifer M. Perrin
Interim City Clerk

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 7, 2006**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of June 7, 2006, was called to order by Mayor Pro Tempore Johnson at 6:05 p.m.

Present: Council Members – Beckman, Hansen, Johnson, and Mounce

Absent: Council Members – Mayor Hitchcock

Also Present: City Manager King, City Attorney Schwabauer, and Interim City Clerk Perrin

C-2 ANNOUNCEMENT OF CLOSED SESSION

- a) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of §54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- b) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), regarding Lodi Professional Firefighters, pursuant to Government Code §54957.6

C-3 ADJOURN TO CLOSED SESSION

At 6:05 p.m., Mayor Pro Tempore Johnson adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:48 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:00 p.m., Mayor Pro Tempore Johnson reconvened the City Council meeting, and City Attorney Schwabauer disclosed that Items C-2 (a) and (b) were discussion only.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of June 7, 2006, was called to order by Mayor Pro Tempore Johnson at 7:00 p.m.

Present: Council Members – Beckman, Hansen, Johnson, and Mounce

Absent: Council Members – Mayor Hitchcock

Also Present: City Manager King, City Attorney Schwabauer, and Interim City Clerk Perrin

B. INVOCATION

The invocation was given by Pastor Steve Newman, First Baptist Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tempore Johnson.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 (a) Mayor Hitchcock presented a proclamation to Dennis Callahan, Fleet and Facilities Manager, and Randy Laney, Fleet Services Supervisor, proclaiming the week of June 12 to 18, 2006, as “National Automotive Service Professionals Week” in the City of Lodi.

D-3 (a) Kelly Higgs, representing People Assisting the Lodi Shelter (PALS), gave a report on the activities and accomplishments of the PALS organization. Through grants and fundraising, PALS has provided the Lodi Animal Shelter with: medications and vaccinations to treat shelter animals; spaying and neutering fees for adoptions; necessary surgeries for injuries or health problems; supplies, such as bedding, blankets, microscopes, pet food, etc.; supplementing adoption fees; foster homes for animals with special needs and/or

overcrowding; and 1,200 volunteer service hours. Two recent accomplishments are the move and renovation of the PALS adoption shelter and receipt of the Lions Love Lodi grant in the amount of \$10,000. The Lodi Animal Shelter has received over \$50,000 from PALS since January 2005. PALS is currently in the process of implementing a senior Meals on Wheels Program for pets.

D-3 (b) Tiffani Fink gave a presentation regarding the Leadership Lodi Class of 2006 project, "More Meals on New Wheels." There is currently a waiting list for the Meals on Wheels program of 25 to 50 seniors who go without eating. The goal of the class was to raise money, partnered with matching funds, to purchase a second vehicle that could serve approximately 50 more meals. Lindsay Yip reported that \$12,000 is required to purchase the vehicle and the class would be actively fundraising to achieve this goal.

D-3 (c) Interim City Clerk Perrin gave an update on the Centennial activities being planned for 2006.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Beckman, Mounce second, approved the following items hereinafter set forth by the vote shown below:

Ayes: Council Members – Beckman, Hansen, Johnson, and Mounce

Noes: Council Members – None

Absent: Council Members – Mayor Hitchcock

E-1 Claims were approved in the amount of \$2,682,234.70.

E-2 The minutes of March 15, 2006 (Regular Meeting), March 29, 2006 (Special Meeting), March 29, 2006 (Special Joint Meeting w/Redevelopment Agency), April 19, 2006 (Regular Meeting), April 19, 2006 (Special Joint Meeting w/Redevelopment Agency), May 3, 2006 (Special Meeting), May 3, 2006 (Regular Meeting), May 9, 2006 (Shirtsleeve Session), May 16, 2006 (Special Joint Meeting w/Lodi Arts Commission), May 17, 2006 (Regular Meeting), and May 30, 2006 (Shirtsleeve Session) were approved as written.

E-3 Approved the plans and specifications and authorized advertisement for bids for the Municipal Service Center Additional Compressed Natural Gas Installation Project.

E-4 Approved the plans and specifications and authorized advertisement for bids for Church Street (Lodi Avenue to Lockeford Street) and Sacramento Street (Elm Street to Lockeford Street) Overlay and Church Street Striping (Lodi Avenue to Kettleman Lane) Project.

E-5 Approved the specifications and authorized advertisement for bids for necessary chemicals for White Slough Water Pollution Control Facility, fiscal year 2006-07.

E-6 Adopted Resolution No. 2006-101 awarding the contract for Asphalt Materials for Fiscal Year 2006-07 to Granite Construction Company, of Stockton, in the amount of \$163,780.

E-7 Adopted Resolution No. 2006-102 awarding the contract for 2006 Handicap Ramp Retrofit Project to A. M. Stephens Construction Company, Inc., of Lodi, in the amount of \$232,365.

E-8 Adopted Resolution No. 2006-103 extending the contract for concession operation at the Adult Softball Complex and Chapman Field to Out of Bounds Concessions, of Stockton, for the remainder of the 2006 season (for the period of May 1, 2006 to December 31, 2006).

E-9 Adopted Resolution No. 2006-104 approving six-month extension of lease of Maple Square, 2 East Lodi Avenue, for the period of June 30, 2006 to December 31, 2006.

E-10 Adopted Resolution No. 2006-105 authorizing the Northern California Power Agency to enter into a sale of a portion of Lodi's rights to combustion turbine capacity in the CT1 Project to the city of Roseville for a four-month period beginning July 1, 2006.

- E-11 Adopted Resolution No. 2006-106 approving destruction of certain Finance Department records.
- E-12 Adopted Resolution No. 2006-107 ratifying the San Joaquin Council of Governments Annual Financial Plan for Fiscal Year 2006-07.
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F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Jane Lea made the following comments:
 - The City should suspend the \$300,000 for the economic development director position;
 - The City has wasted funds on items such as the \$58,000 spent to fix what a contractor failed to do right the first time on Elm Street;
 - Lodi's past practice did not collect the full value of new citizens moving into Lodi, which she believed was a gift of public funds. Ms. Lea cited the development at the intersection of Mills Avenue and Kettleman Lane and asserted that the electrical lines were installed underground because the developer wished not to view them, the cost for which to the City was \$35,000;
 - It is wasteful to spend \$15,000 a month to rent a facility for the Finance Department when there is a partially vacant public safety building that could be utilized. For the same footage, the City could have renovated it for less than one year of rent;
 - Fees collected from citizens for the purpose of providing services for water, wastewater, and infrastructure replacement need to be in restricted funds to prevent borrowing for other uses. It should not be used for lawsuits or other failed ventures, and the money should not be borrowed without a contract assuring that the money would be paid back with interest;
 - Lodi owns and operates three enterprises: electric, wastewater, and water. Council charges a 12% franchise to Electric Utility and 7% to each of the other enterprises; however, the City charges private enterprises, such as the refuse provider who holds an exclusive contract, only 4.8%. That is a guarantee that the refuse provider will receive almost 100% of its money as the City turns off services for non-payment. The City pays the postage, paper, envelopes, customer service, and collection for \$20,000 a year;
 - Hiring consultants for studies is an easy way out. If things go wrong, it gives staff someone to blame for poor advice, and the Council can use consultants to deflect criticism.
- David Nielson expressed concern with the increasing violence, drug abuse, and property damage in his neighborhood. There are over 300 documented gang members in Lodi, and the ratio of police officers to gang members in the gang unit is embarrassingly low. The block of east Lodi Avenue, between Center and Garfield Streets, is especially concentrated with gangs. There have been over 837 9-1-1 calls in that one block. Mr. Nielson has identified seven apartment buildings that are in clear violation of California State Penal Code 186.22(a), which states that every building or place used by a member of a criminal street gang for the purpose of committing an offense is a nuisance and shall be enjoined, abated, and prevented, for which damages may be recovered. At least 11 Lodi Municipal Codes have been violated by these properties as well. The property owners claim they cannot control or secure their properties from public gang traffic to protect their uninvolved tenants. Mr. Nielson has met with many staff members, as well as the Lodi Improvement Committee, to express his concerns, and he, along with seven other neighbors, will be attempting to enjoin and abate the seven apartment units on the 400 block of E. Locust Street as public nuisance properties. The properties would be relinquished to the City for revitalization, which could generate funds to be utilized for extra police officers or for revitalization programs to benefit the east side of Lodi. The total property value for abatement is estimated at \$2,787,040. If this attempt is successful, the technique could be implemented for other properties south of Elm Street. Several Lodi citizens, police officers, and City officials have scheduled a meeting for June 20 to discuss various strategies to address this problem. Anyone interested in receiving updates on the progress was encouraged to e-mail Mr. Nielson at locustblockproject@yahoo.com.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Mounce thanked Mr. Nielson for bringing his issue to the City Council and for his efforts to regain control of the neighborhood. She hoped that Council and staff would support his efforts.
 - Council Member Hansen provided updates on the following committees on which he serves:
 - The Northern California Power Agency (NCPA) Law and Legislative Committee has been tracking SB1554 regarding exit fees, which is PG&E's attempt to assess an additional three cents per kilowatt hour charge on future homes that are annexed into Lodi. SB1554 is the combined effort of municipal utilities to prohibit exit fees, and it was unanimously passed by the State Senate Appropriations Committee and is moving forward. Another piece of legislation is AB2021, which is Assemblyman Levin's attempt to assess an additional three cents per kilowatt hour penalty if it is deemed that municipal utilities are not meeting the requirements of AB2021 for energy efficiency. Mr. Levin has agreed to eliminate the penalty provision entirely, which was accomplished through major effort of NCPA and the various municipal utilities.
 - The San Joaquin Council of Governments (SJCOC) recently approved the request for a \$16.66 million State Transportation Improvement Program swap between State Route 12 and an existing project at I-5 and French Camp. The 2006 program did not completely fund the I-5 and French Camp project. Funds in the amount of \$16.7 million were designated to the State Route 12 project; however, as it progressed through Caltrans, there was a problem with the project definition, as well as some geotechnical issues, and it was determined that the project could not go forward in fiscal year 2009-10. On SJCOC's recommendation, the \$16.66 million was transferred to the interchange project at French Camp, and \$600,000 was left in the fund to continue to do the environmental work needed on Highway 12. This moves the Highway 12 project to fiscal year 2011-12 as the highest priority and it allows construction to begin on the French Camp project.
- Mayor Pro Tempore Johnson stated that SJCOC also adjusted the City's request for funding of I-5 to Lodi and he questioned how that happened.
- Council Member Hansen responded that, under the Measure K renewal, the priority has been changed to the I-5 east end of town as the top priority. This is current Measure K funds on the Highway 12 west project, which was designated through the initial set up of the Measure K project list. This does not change the City's recommendation of having the priority set. Mr. Hansen also reported that SJCOC authorized the transfer of \$1.8 million to deliver Lodi's fleet service shop expansion project.
- Mayor Pro Tempore Johnson stated that the City Council received a letter from the American Federation of State, County, and Municipal Employees, which he believed was an inappropriate piece of correspondence as it related to negotiations between bargaining units and the City.

H. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

None.

I. PUBLIC HEARINGS

- I-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pro Tempore Johnson called for the public hearing to consider adopting resolution implementing previously-authorized Consumer Price Index-based water and wastewater rates.

Public Works Director Prima reported that in 2004, as part of the water and wastewater rate increase, members of the public suggested that the City adjust rates annually, rather than implementing larger increases over multiple years. As part of that rate increase, Council set a policy that the rates be adjusted annually using the Consumer Price Index (CPI) and that the matter be noticed as a public hearing to allow the public an opportunity to comment.

The CPI for the last year is under 2%, which amounts to \$1 a month for a three-bedroom home. Staff received a statewide survey of water rates performed by a private firm, which stated that the statewide average is \$36.39 for monthly water service. With this proposed rate increase, Lodi's rates for a three-bedroom home, which is the most typical customer, would be \$34.35. That figure includes the previously approved increase for PCE/TCE, which will go into effect on July 1. The statewide survey notes that water rates statewide have increased over the last three years an average of 5.6% per year. Lodi's increases are under the statewide average, and at some point the City will need to make adjustments to address factors such as regulatory requirements, costs for utilities, and various other constraints, as well as inflation.

Hearing Opened to the Public

- None.

Public Portion of Hearing Closed

Council Member Mounce stated that she would not support this request because of Measure H (Water Rate Reduction Measure), which will be voted on in November.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Beckman second, adopted Resolution No. 2006-108 implementing previously-authorized Consumer Price Index-based water and wastewater rates. The motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, and Johnson

Noes: Council Members – Mounce

Absent: Council Members – Mayor Hitchcock

- I-2 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pro Tempore Johnson called for the public hearing to review and receive comments regarding City of Lodi 2006-07 recommended draft budget.

Library

Library Services Director Martinez reported that the library provides services to residents to meet their informational, recreational, and learning needs through its collection of books, videos, music CDs, newspapers, magazines, and on-line databases. This fiscal year, library staff and volunteers checked out over 300,000 items, received 25,000 hits to its Web site, welcomed 300,000 visitors to the library building, presented 300 programs for 10,000 children and adults, borrowed 1,100 items from other libraries to meet clients needs, issued 4,000 library cards, provided 2,500 users per month access to a computer, answered 20,000 questions, ordered and processed 10,000 items, and offered 12 series of computer classes to 200 students in the computer learning center. The library budget is \$1.7 million, which represents an increase of 6.6%, and the library employs 16 full-time staff with 2 mandated vacancies. Ms. Martinez highlighted the following 2005-06 accomplishments:

- Started homework help center after school, which is staffed entirely by volunteers;
- Began partnership with Lodi Unified School District to offer additional services and resources to the individuals and organizations that care for preschoolers in order to prepare them for their formal education; and
- Redesigned the look of the library Web site to provide better access to information and resources.

2006-07 emphasis includes:

- Refurbishment of the library interior;
- Creating an emergent literacy program for preschoolers and their families; and
- Implementing a financial literacy program through the adult literacy services.

Mayor Pro Tempore Johnson requested an update on the cost of the library refurbishment project and expressed concern about the heating, ventilation, and air conditioning (HVAC) problem that has yet to be resolved.

Ms. Martinez replied that the refurbishment project is anticipated to cost \$600,000. There is a commitment from the Library Foundation to fund \$200,000 and from the Library Board of Trustees to provide \$250,000 from its private sector trust fund. Additionally, a request will be forthcoming to Council to request funds from the library fund balance.

Council Member Hansen questioned if the Library Board and the Foundation both view its fundraising efforts to be for improvements to the library, rather than maintenance, and if it sees the HVAC issue more of a City responsibility, to which Ms. Martinez replied in the affirmative. Mr. Hansen requested that the Library Board be approached on the possibility of participating in the funding of the HVAC replacement/upgrade, in light of the City's financial condition.

Community Center

Interim Community Center Director Baker reported that expenses for the Hutchins Street Square are projected at \$1.4 million, of which \$500,000 is brought back in as revenues. Hutchins Street Square has nine full-time staff and several part-time staff, including a rental consultant, arts liaison, secretary for the Hutchins Street Square Foundation (for which the City receives reimbursement), senior center staff, and those that help set up events, as well as lifeguards. Mr. Baker highlighted the following 2005-06 accomplishments:

- Increased the number of art participants by 25%. The art class revenues have doubled in the last four years and participation has increased in the ballroom dancing and cooking classes;
- Hosted six successful night time live events, including three, first time ever, sell-out performances;
- Increased rental revenues. Kirst Hall is regularly booked on Saturdays, and staff will return to Council with a proposal to increase the fee during prime time hours;
- Received a \$7,500 grant from the Older American Act for Senior Center information referral services. Volunteer health insurance counselors were on site this year to explain to seniors the Medicare prescription plan, and the Center logged in a record number of volunteer hours in counseling services. The number of senior students enrolling in computer classes also increased this year;
- Produced a number of events, including Art on the Square, Friday Night Art Hops, and the St. Mary's and Troup Cabana concert series; and
- Improved the appearance of the Square by painting the main hallways and planting 100 roses around the exterior of the square.

2006-07 emphasis includes:

- Continuing to increase rentals and classes to improve net revenues;
- Maintaining quality of existing programs and continuing to increase visibility of the Square;
- Increasing partnerships with media outlets and local groups in order to improve the offerings at the Square.

In response to Council Member Hansen, Mr. King stated that the total debt for the Certificates of Participation for 2006-07 is \$1.7 million. Of that amount, 30% is the Community Center debt, which is located in the non-departmental portion of the budget.

In response to Council Member Hansen, Mr. Baker stated that 70% of each class goes to the instructor and a small portion goes to security. At some point, there will be a cap because the facility will run out of space. The rentals are very successful, and it would appear that those figures will increase rather significantly over the revenue projection. The Square offers discounts on fees for non-profit organizations, and there are services that do not generate revenues, such as the Senior Center.

Mayor Pro Tempore Johnson stated that discussions have taken place regarding the potential merger of Parks and Recreation and the Community Center and he questioned if that option was being explored.

City Manager King responded that the goal is to look for areas that would be compatible in order to achieve a cost savings without going for a full consolidation. Examples would include utilizing software that both departments could use to register participants at either location, joint promotions and marketing, etc. The issue regarding the Youth Commission liaison was brought forward to the Lodi Budget/Finance Committee and whether that part-time position should be funded by the Community Center or if the function could be absorbed by one of the four recreation supervisors at Parks and Recreation. The committee recommended that the position be retained in the budget for the Community Center in a part-time capacity.

Community Development Department

Community Development Director Hatch reported that there are three major functions in Community Development: building, planning, and community improvement, and the department serves as the liaison to three Council-appointed committees: the Planning Commission, Site Plan and Architectural Review Committee, and Lodi Improvement Committee. There are 17 personnel with 2 vacancies that are presently in the process of being filled. The proposed budget is \$2.1 million, which represents a slight increase. Based upon the budgeted revenues, there is an 86% recovery through fees and charges for building and planning permits and code enforcement actions. Mr. Hatch reviewed the following 2005-06 accomplishments:

- Hired key personnel, including the Community Development Director;
- Started the process of updating the general plan;
- Completed code enforcement revision and hearing officer process;
- Updated fees and charges to more closely reflect costs;
- Updated the building standards; and
- Completed a fiscal study for new residential development. There are a number of new development applications in process: the Westside/Southwest Gateway project, the Blue Shield/Reynolds Ranch project, a number of commercial ventures, and the Delta College proposal.

2006-07 emphasis includes:

- Moving forward with the General Plan update;
- Continuing to move forward with the greenbelt;
- Updating the agricultural land mitigation and downtown retail mitigation fees;
- Adopting a revised unified development code;
- Converting to the International Building Code and new plumbing and mechanical codes;
- Bringing forward a revolving loan program to emphasize economic development through participation in the countywide Community Development Block Grant program;
- Completion of the Westside/Southwest Gateway and the Blue Shield/Reynolds Ranch projects, which are anticipated for early fall;
- Reviewing and updating the Wal-Mart Environmental Impact Report, which should come before Council in early spring; and
- Anticipating a high year of building permit activity.

In response to Council Member Hansen, Mr. Hatch stated that the agricultural mitigation and downtown retail mitigation fees should come before Council at the end of summer or early fall. There is an effort underway to study this issue before the fee is established, which is being done cooperatively among neighboring jurisdictions. At this point, San Joaquin County has not adopted the fee, however, the cities of Manteca and Lathrop have. Mr. Hatch has been working with the city of Stockton to develop the fee and the focus has been on the community separator area.

In response to Mayor Pro Tempore Johnson regarding the level of activity and staffing, Mr. Hatch stated that the department utilizes a number of consultants for major projects, the costs for which are being fully reimbursed by developers. The one exception is the General Plan update, which is a City-funded effort. Mr. Hatch felt confident that the department could move forward with the current level of staffing.

Council Member Mounce expressed concern about the lack of staff to enforce the newly adopted code enforcement ordinance, the purpose of which was to provide the necessary tools. Mr. Hatch responded that he would continue to reevaluate the staffing level and if at any time it appeared to be inadequate he would report the matter to the City Manager.

City Clerk

Interim City Clerk Perrin reported that the 2006-07 budget total for the City Clerk's Office is \$608,000, which includes the budgets for City Clerk, Council, Protocol, Elections, and Sister City. The budget represents a 19% increase over last fiscal year, which is due primarily to the cost of the November 2006 General Municipal Election. The San Joaquin Registrar of Voters estimated the election to cost \$111,000. Other increases and changes to the budget include an increase of \$5,500 in the Clerk's Office for codification of ordinances into the municipal code book and an increase of \$500 in the conference and business expense account for the Mayor. The City Clerk's Office remains at a staffing level of four. Ms. Perrin highlighted the following 2005-06 accomplishments:

- E-records – 172,000 pages on the system to date and staff has begun entering past ordinances onto the system;
- Electronic agendas and packets on the City's Web site – over 4,000 pages;
- City Council meeting minutes – 350 pages to date;
- Written and prepared 285 certificates and proclamations for presentation by the City;
- Handled the protests for the water rate increase by tabulating and verifying over 3,000 protests, as well as 610 from individuals other than property owners; and
- Processed two initiatives for the 2006 election.

Until the City Clerk position is filled, the 2006-07 emphasis is to maintain the current service level and remain up to date on the e-records system, as well as preparing for the election and completing the City's final Centennial celebration.

In response to Council Member Hansen, Ms. Perrin stated that the increase of \$96,000 over fiscal year 2005-06 is due completely to election costs.

City Manager / Economic Development

City Manager King pointed out that the principal change in the City Manager's budget was the funding of the economic development position for \$80,000, which was budgeted for half a year. If approved, the funds would most likely migrate into the economic development budget. The economic development budget of \$232,000 contains the direct cash donations in the amount of \$215,000, with the remaining funds to be used for office supplies and the necessary tools for staff to engage in economic development activities.

Information Systems Division

Information Systems Division Manager, Steve Mann, reported that the proposed budget is \$1.7 million, which represents an increase of \$79,000, all of which is in the personnel services area. The general fund ratio is 2.4%, and there are nine authorized positions, one of which is vacant. Mr. Mann highlighted the following 2005-06 accomplishments:

- Replaced core network components critical to the City's network infrastructure;
- Handled 3,000 help desk calls;
- Implemented the new electric rate structure;
- Developed an executive information dashboard;
- Web enabled various PDF or printed reports; and
- Assisted with deployment of the geographical information system server.

2006-07 emphasis includes:

- Implementing the new animal tracking system;
- Implementing the wireless hand-held meter reading devices;
- Implementing a new audio-visual system in the Carnegie Forum Council Chambers;
- Upgrading the network firewall;
- Streamlining information technology purchases; and
- Planning for replacement of major systems.

In response to Council Member Hansen, Mr. Krueger stated that all of the systems in the Finance Department, which are serviced by the Information Systems Division (i.e. Electric Utility billing, animal tracking, and business license systems), are revenue generating.

In response to Council Member Hansen, Mr. Mann stated that the tracking system was developed as a licensing component, which would also be a mechanism to track the traffic of animals coming through the shelter.

In response to Mayor Pro Tempore Johnson regarding the replacement of major systems, Mr. Mann stated that the initial phase of the process is to invite all departments and divisions together to start planning for the needs, expectations, and potential costs. The next phase is design and procurement, which is a year or so into the future.

Human Resources

Risk Manager, Kirk Evans, reported that the Human Resources function comprises 60% of the \$587,000 budget, with the risk management, training, and labor relations functions making up the remaining 40%. The 2006-07 budget has decreased by 3%, and there are five positions authorized in the budget, as well as some part-time hours. The Human Resources Manager position will not be filled until the next fiscal year. Mr. Evans reviewed the following 2005-06 accomplishments:

- Completed 34 full-time and 14 part-time recruitments;
- Coordinated an open enrollment health fair, Public Employees Retirement System workshop, and flexible spending workshop;
- Administered 43 general liability claims, which is a decrease from the prior year, and collected \$47,000 in damages caused by outside parties to the City;
- Administered 46 workers compensation claims, which is down from the prior year;
- Processed 2,600 certificates of insurance;
- Completed Occupational Safety and Health Administration required annual hearing testing;
- Completed harassment prevention training for all supervisors; and
- Completed a draft injury and illness prevention program.

2006-07 emphasis includes:

- Coordinating safety recognition event;
- Reviewing benefits provided to employees and implementing changes as necessary;
- Improving the City's position control. Staff is considering a system that would assist in the recruitment process by providing customized on-line applications and job announcements that will support the scoring, ranking, and referring of applicants to departments;
- Updating the administrative policy and procedures manual to incorporate new legislation and court decisions that have an impact on City operations;
- Performing infection control officer duties. Federal and state regulations require the City to have processes in place to protect employees from exposure to disease and provide early diagnosis and treatment should exposure occur; and
- Considering lowering the City's self-insured retention by either joining a pool with a lower self-insured retention or purchasing a policy on the open market.

In response to Council Member Hansen, Mr. Evans responded that Human Resources employs two part-time employees and the budget request includes an increased amount for part-time hours. In addition, the automated applicant tracking position would assist in streamlining the recruitment process.

Finance Department

Interim Finance Director, Ruby Paiste, reported that the Finance Department's budget of \$1.9 million is comprised of purchasing, accounting, billing, and revenue collections. The budget represents a decrease of \$247,000 from the prior year, which was due to the elimination of the finance director position and the vacant positions of one buyer and one customer service representative. There are eight vacancies in Finance, two of which are included in this budget (i.e. budget manager and purchasing technician), and there are six mandated vacancies. Ms. Paiste highlighted the following 2005-06 accomplishments:

- Prepared the Comprehensive Annual Financial Report;
- Revised and implemented the new purchasing system and provided training to staff on requisitions and purchase orders through the JDEdwards system;
- Implemented "positive pay" system for disbursements, in which the check registers are downloaded to the bank so that all disbursements are checked by the bank for reconciliation and fraudulent activity;
- Improved customer service. To better serve the public and departments, savings from this year were utilized to update computers and equipment and to send customer service representatives to customer service training. Additionally, improved signage was placed in the lobby to direct customers to the correct window and the "three is a crowd system" was instituted to better move the lines at the windows; and
- Reviewed all of the programs outside of the financial system to integrate with the mainframe, implemented automated manual payments, converted to laser printing for payroll checks, and provided additional benefit details on employee check stubs.

2006-07 accomplishments include:

- Working with Electric Utility and Public Works to develop a comprehensive collection policy, which would be a more definitive guideline for staff in billing, collections, and service connections. It may be necessary in the future to request a reclassification of one of the vacant accounts collectors in order to more aggressively pursue delinquent accounts;
- Continue improving communication to other departments and finding further ways to better serve the public; and
- Considering payment alternatives.

In response to Council Member Mounce, Ms. Paiste stated that the Finance Department will be looking into on-line payments in the near future. At Council Member Mounce's request, Ms. Paiste reported that the department received 62,000 phone calls this year, most of which were complaints regarding the water and wastewater increases.

In regard to customer service improvements, Mr. Krueger added that, in addition to the "three is a crowd" policy, Ms. Paiste adjusted staff hours in order to better cover the counters and phones and removed furniture in the lobby to reduce crowding, which has made a significant difference.

Council Member Hansen stated that he was not surprised to hear that Finance received 62,000 calls. One of the major complaints he has received from the public is the frustration with the phone system. Callers have gotten lost in the "loop," been cut off, or were unable to speak directly with staff.

Mayor Pro Tempore Johnson pointed out that the City could save money on its water quality report by printing it on plain paper, rather than the tri-fold, multi-color glossy paper.

City Attorney

City Attorney Schwabauer reported that the City Attorney's budget for 2006-07 is \$466,000, which represents an increase of 16.2%. The increase includes \$7,000 for workers compensation, \$20,000 for medical insurance, \$10,000 for PL & PD insurance, and \$20,000 for outside services. The City Attorney's Office maintains most of its litigation files in house, which are actively defended by the City Attorney or the Deputy City Attorney. The general fund ratio is 1.1%, and there is a personnel profile of three. Mr. Schwabauer highlighted the following 2005-06 accomplishments:

- Continued settlements in the PCE/TCE litigation, most recently the Southern Plume;
- Implemented work plans in the Northern and South Central Western Plumes. In the Northern Plume, \$650,000 worth of work has been done on a pro rata basis, and in the South Central Western Plume, \$130,000;
- Resolved a major accident injury claim at no cost to the City; and
- Started work on development agreements for subdivisions.

2006-07 emphasis includes:

- Resolving the Northern and South Central Western Plumes;
- Continuing the legal work associated with the PCE/TCE clean up and the case against the City against its former counsel;
- Actively enforcing code compliance under the new code enforcement ordinance;
- Resolving the San Joaquin County emergency medical services and the AT&T litigations that are pending; and
- Completing the Westside/Southwest Gateway and Blue Shield annexations.

Non-Departmental

Deputy City Manager Krueger reported that the increase in the 2006-07 budget relates to the transfers associated with asset replacement and fleet maintenance, as well as the transfer to the library. The insurance fund is comprised of employee benefits, which has a slight increase due to anticipated increases in health insurance costs. The accumulation of the amounts charged to departments goes into the internal service fund, which is shown as a double expense. The remaining funds that are classified as non-department are for debt service. Fleet and equipment replacement is shown as a transfer from the general fund and the operating departments. There is a transfer of \$178,000 from the general fund into the equipment replacement fund. The general capital outlay fund is comprised mostly of impact mitigation fees collected for general facilities, police and fire facilities, and park facilities.

Council Member Mounce expressed concern about the 10% reduction for the graffiti abatement officer, to which Mr. Prima explained that the part-time graffiti abatement officer's hours would decrease to 40%. Ms. Mounce also expressed concern about the equipment being used by the graffiti abatement officer, which is in poor working condition and prevents the tasks from being completed. The longer graffiti remains up, the more it fuels the gang problems, and she believed it was not a function that should continue to be reduced. She requested that the level not be decreased by 10%.

Mr. King stated that there may be other options for funding the graffiti abatement officer, such as Community Development Block Grant funds if it were determined to be an allowable activity under the program.

Council Member Hansen suggested that the Partners assist in reporting graffiti, to which Mr. Prima stated that the Police Department currently reports graffiti.

Council Member Beckman indicated that he would be willing to reconsider the funding level of the graffiti abatement officer and agreed with the statement that the longer it is visible, the more it incurs tagging.

Mayor Pro Tempore Johnson stated that building inspectors and street sweepers could also be reporting graffiti.

RECESS

At 9:31 p.m., Mayor Pro Tempore Johnson called for a recess, and the City Council meeting reconvened at 9:41 p.m.

I. PUBLIC HEARINGS (Continued)

I-1 Hearing Opened to the Public (Cont'd.)

- Ann Cerney requested information regarding the affect the downgrading of the bond rating for Electric Utility from BBB+ to BBB- might have on the budget. She stated that she could not find a reference in the budget to the franchise cost from the water and electric utilities and further stated that the budget was confusing. Ms. Cerney pointed out that the budget document was not on-line until the afternoon of the May 31 meeting and was quickly removed. She questioned what "NOC" meant under the category of special payments, which listed an amount of \$6,779,900.

Public Portion of Hearing Closed

City Manager King highlighted the various sections of the budget and explained its organization. The franchise amounts for gas, cable television, electric, sewer, water, and refuse are contained in the revenue detail. The potential downgrade from the bond rating agencies does not affect the budget.

Mr. Krueger explained that "NOC" under special payments stands for "no other category."

In response to Jane Lea's earlier comments, Mr. King stated that the budget for economic development is \$233,000, in addition to the \$80,000 for the economic development position in the City Manager's budget. Included in the economic development budget are the direct cash grants to the Lodi Conference and Visitors Bureau, Downtown Lodi Business Partnership, San Joaquin Partnership, and the Chamber of Commerce. In regard to development fees, this is an area that Lodi is behind the curve; however, he did not believe it would address any of the issues associated with remediation of PCE/TCE. Staff has brought forward the concept of Community Facilities District fees, which would pay for on-going costs for providing services to new residents, as well as development agreements, which are contracts between the City and the development community to leverage for additional benefits. Consultants are typically used for their skills and knowledge for a specific project and for a set period of time, which is the most efficient use of tax resources.

In response to Council Member Hansen regarding the release of the budget, Mr. King stated that the budget was put on line on May 31; however, he was concerned with the quality of the budget (i.e. formatting errors, blank pages, duplicate pages, etc.) and removed it in order to post a higher-quality version.

Mayor Pro Tempore Johnson agreed with Ms. Cerney that the budget is a complex document and it takes years of understanding and review to completely understand it. In past years, the budget process began much earlier; however, the public complained that the budget was being reviewed at 7 a.m. Shirtsleeve Sessions when people were typically going to work. This year, the timeline was compressed, and the City conducted a special televised meeting to reach out and provide the public an opportunity to review and understand the budget.

Mr. Krueger stated that this year's budget is in a different format than what it was in past years. There are various levels, beginning with a summary level and ending with a more finite detail level, which does create some redundancy. In regard to transfers, there has been a reduction in the transfer percentage over the last two years for each one of the utilities, which is a definite change in policy. Mr. Krueger offered his assistance in meeting with those interested in receiving additional details on the budget.

In response to Council Member Mounce, Mr. King stated that the garbage franchise has a set franchise fee. State law sets forth that competitive bids are not required for solid waste, but franchise negotiations are allowed. The most valuable asset that a solid waste company has is its franchise.

Council Member Hansen pointed out that, if the Council made a policy decision to receive a higher franchise fee, the garbage company's options are to operate with less profit or to pass the cost onto the consumers. The City would receive more money; however, the cost of that service would increase and likely be passed on to residents.

Council Member Mounce replied that the franchise revenues from cable television and the refuse company are about equal, \$240,000 for the year; however, the payment is not the same amount for cable as it is for garbage.

MOTION / VOTE:

There was no Council action taken on this matter.

J. COMMUNICATIONS

J-1 Claims filed against the City of Lodi – None

J-2 The following postings/appointments were made:

a) The City Council, on motion of Council Member Mounce, Beckman second, made the following appointments by the vote shown below:

Ayes: Council Members – Beckman, Hansen, Johnson, and Mounce

Noes: Council Members – None

Absent: Council Members – Mayor Hitchcock

Greater Lodi Area Youth Commission

Holly Jacobus Term to expire May 31, 2008

Lee Kraljev Term to expire May 31, 2008

Sarah McConahey Term to expire May 31, 2008

Jacob Pearson Term to expire May 31, 2008

Whitney Sandelin Term to expire May 31, 2008

J-3 Miscellaneous – None

K. REGULAR CALENDAR

K-1 "Approve Measure K Renewal Final Draft Expenditure Plan and endorse the renewal of Measure K"

City Manager King reported that the City has submitted its comments on the Measure K Renewal Draft Expenditure Plan, which were presented to the San Joaquin Council of Governments (SJCOG) board. SJCOG incorporated Lodi's comments and has approved the expenditure plan, which is now up for approval by San Joaquin County cities.

Andrew Chesley, Director of SJCOG, stated that the board of directors adopted the draft expenditure plan in April. The process requires that four of the incorporated cities, one of which must be the city of Stockton, and the San Joaquin County Board of Supervisors approve the expenditure plan before it can be brought forward to the November ballot. In this case, the Board of Supervisors and six of the seven cities have approved the Measure K Expenditure Plan, with Lodi being the last city to take action. SJCOG has attempted to address all of Lodi's comments in the expenditure plan. Both sections of Route 12 have been included in the expenditure plan from Lower Sacramento Road west to I-5 and from I-5 west to Boulder Island. Should the Lodi City Council approve the plan, the SJCOG board of directors would adopt an ordinance for implementation of the Measure K program and would request the Board of Supervisors to place the measure on the ballot. The letter designation would then be granted by the San Joaquin County Registrar of Voters, and on November 7 the voters will determine whether to renew Measure K or not.

Council Member Hansen asked Mr. Chesley to explain what would happen if Measure K were not renewed.

Mr. Chesley explained that the Measure K program would continue through the year 2011, at which time it would end and \$18 million of local street repair dollars would cease to go to San Joaquin County and the cities. The Altamont Commuter Express service, which operates with 50% of its costs from the Measure K program, would either be cut back or eliminated. Interregional and intercity transit service would stop, as would some handicap services.

Council Member Hansen requested a brief account on the lack of timeliness of SJCOG meeting the requirements on the current Measure K Expenditure Plan.

Mr. Chesley stated that one of the issues has been the regional transportation impact fee, which was a portion of the ordinance adopted in the Measure K program. It was the intent of Measure K to implement a regional transportation impact fee by 1994; however, that date came and went. In 1995, the SJCOG board adopted a \$454 fee; however, that did not meet the spirit of the ordinance. The board on several other occasions attempted to craft a regional transportation impact fee, but consensus could not be built in the county. Finally, last year the SJCOG board adopted a regional transportation impact fee, and all of the cities in the county have adopted it. The Sierra Club, which was the strongest critic, participated in the development of the fee and is satisfied with the fee as adopted. The chairman of the local chapter has indicated that it would support the Measure K renewal.

MOTION:

Council Member Hansen made a motion, Beckman second, to approve the Measure K Renewal Final Draft Expenditure Plan and to endorse the renewal of Measure K.

PUBLIC COMMENTS:

- Ann Cerney believed that the Measure K program did not address the future; it only addressed past flawed decisions to urbanize areas previously dedicated to agriculture, and she believed that Measure K was a catch up measure.

Council Member Hansen disagreed with Ms. Cerney's comments and stated that the future would be very bleak without these funds to address the transportation concerns.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Johnson, and Mounce

Noes: Council Members – None

Absent: Council Members – Mayor Hitchcock

- K-2 “Adopt resolution accepting Certificate of Sufficiency of Petition for the Water Rate Reduction Initiative submitted by Jane Lea and Dawn Squires; and adopt resolution to place the measure on the ballot for the November 7, 2006, General Municipal Election”

Interim City Clerk Perrin reported that the petition for the water rate reduction initiative was filed in the City Clerk's Office on May 5 by Jane Lea and Dawn Squires. Following the prima facie check, it was forwarded to the San Joaquin County Registrar of Voters who did a random sample check and found the projected number of valid signature to be 4,020. As this number exceeds the minimum 10% of voters of the City required to qualify, the petition was certified as sufficient. The elections code allows for Council to either adopt the ordinance without alteration, submit the ordinance without alteration to the voters, or order a report regarding the initiatives effects on municipal operations, which must be presented to Council no later than 30 days after the certification of the sufficiency of the petition.

MOTION #1 / VOTE:

The City Council, on motion of Council Member Mounce, Beckman second, adopted Resolution No. 2006-109 accepting the Certificate of Sufficiency of Petition for the Water Rate Reduction Initiative submitted by Jane Lea and Dawn Squires. The motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Johnson, and Mounce

Noes: Council Members – None

Absent: Council Members – Mayor Hitchcock

MOTION #2:

Council Member Mounce made a motion to adopt Resolution No. 2006-110 placing the measure on the ballot for the November 7, 2006, General Municipal Election. Council Member Beckman asked if the motion would include ordering the analysis, to which Ms. Mounce replied in the affirmative. Council Member Beckman seconded the motion.

DISCUSSION:

Council Member Hansen questioned if ordering the reports would still allow for the measure to be on the November ballot, to which Ms. Perrin replied in the affirmative.

City Manager King suggested that Council order the item to be placed on the ballot and then direct staff to prepare reports on the impacts.

MOTION AMENDED:

Council Member Mounce amended the motion, Beckman second, to adopt Resolution No. 2006-110 placing the measure on the ballot for the November 7, 2006, General Municipal Election and further ordering a report on the initiative's effect on municipal operations.

DISCUSSION:

Mayor Pro Tempore Johnson clarified that the reports would not have an affect on placing the measure on the ballot.

Council Member Hansen reiterated a previous request of his to receive a report on the impact of this measure on the budget if it is passed.

City Manager King replied that the Council has two choices from where to take the money should the measure pass: from the water and wastewater infrastructure replacement fund or out of the general fund either proportionately across all departments or targeting particular departments.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Johnson, and Mounce

Noes: Council Members – None

Absent: Council Members – Mayor Hitchcock

- K-3 “Adopt resolution setting priorities for filing written arguments regarding Fire and Facilities Sales Tax and Water Rate Reduction measures scheduled for the November 7, 2006, General Municipal Election and directing the City Attorney to prepare an impartial analysis”

Interim City Clerk Perrin reported that the resolution before Council authorizes all members of the City Council to file a written argument in favor of or against the two measures. The resolution also directs the City Attorney to prepare an impartial analysis. The deadlines are June 21 for filing arguments and July 3 for filing rebuttal arguments.

MOTION / VOTE:

The City Council, on motion of Council Member Mounce, Beckman second, adopted Resolution No. 2006-111 setting priorities for filing written arguments regarding the Fire and Facilities Sales Tax and Water Rate Reduction measures scheduled for the November 7, 2006, General Municipal Election and directing the City Attorney to prepare an impartial analysis. The motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Johnson, and Mounce

Noes: Council Members – None

Absent: Council Members – Mayor Hitchcock

- K-4 “Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel (\$99,118.67)”

City Attorney Schwabauer reviewed expenses incurred by outside counsel/consultants as was outlined in the staff report.

MOTION / VOTE:

The City Council, on motion of Council Member Mounce, Beckman second, approved the expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel in the amount of \$99,118.67, as detailed below, and shown by the following vote:

Ayes: Council Members – Beckman, Hansen, Johnson, and Mounce

Noes: Council Members – None

Absent: Council Members – Mayor Hitchcock

Folger Levin & Kahn - Invoices Distribution

				183453.7323
Matter	Invoice			Total
No.	No.	Date	Description	Amount
8002	95061	4/30/2006	People v. M&P Investments	39,843.33
				(975.00)
8003	95062	4/30/2006	Hartford Insurance Coverage Litigation	38,537.72
8008	95060	4/30/2006	City of Lodi v. Envision Law Group	1,623.49
	6172	3/31/2006	Peter Krasnoff/WEST	2,385.00
	13262	4/30/2006	Keith O'Brien/PES Environmental, Inc.	3,375.00
				<u>\$84,789.54</u>

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Matter	Invoice			Total	
No.	No.	Date	Description	Amount	100351.7323
				183453.7323	
11233.001	225056	04/25/06	General advice	389.21	389.21
11233.017	225056	04/25/06	City of Lodi v. M&P Investments (2441)	238.60	238.60
11233.026	225056	04/25/06	Lodi First v. City of Lodi	741.65	741.65
11233.027	225056	04/25/06	Citizens for Open Govt. v. City of Lodi	257.30	257.30
11233.029	225056	04/25/06	AT&T v. City of Lodi	12,532.99	12,532.99
				<u>14,159.75</u>	<u>13,921.15</u>
					238.60

JAMS Mediation Service 183453.7323

Invoice No.	Date	Description	Amount
1144989-110	04/2006	Mediation Services – M&P Investments	<u>\$ 169.38</u>

L. ORDINANCES

- L-1 Ordinance No. 1779 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 5 – Permits and Regulations – by Repealing and Reenacting Chapter 5.12, 'Cardrooms,' in its Entirety"

MOTION:

Following reading of the title of Ordinance No. 1779 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 5 – Permits and Regulations – by Repealing and Reenacting Chapter 5.12, 'Cardrooms,' in its Entirety," having been introduced at a regular meeting of the Lodi City Council held May 17, 2006, the City Council, Council Member Mounce made a motion, Hansen second, to waive reading of the ordinance in full and adopt and order it to print.

DISCUSSION:

Council Member Beckman requested that Section 5.12.170 regarding gross revenues be amended to have the money go to a gamblers anonymous type of entity to help those with gambling addictions as opposed to going to the City coffers.

PUBLIC COMMENTS:

- David Nielson suggested that a portion of the revenues go toward the employment of one more police officer.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, and Mounce
Noes: Council Members – Beckman
Absent: Council Members – Mayor Hitchcock
Abstain: Council Members – None

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 10:45 p.m.

ATTEST:

Jennifer M. Perrin
Interim City Clerk

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JULY 4, 2006**

The July 4, 2006, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Jennifer M. Perrin
Interim City Clerk

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JULY 11, 2006**

The July 11, 2006, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Susan J. Blackston
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Authorize Sale of Asphalt Grindings as Surplus Property during Calendar Year 2006

MEETING DATE: July 19, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council authorize the sale of asphalt grindings as surplus property during calendar year 2006.

BACKGROUND INFORMATION: During maintenance of City streets, the Street Division generates a by-product in the form of asphalt grindings. These grindings are normally recycled at no cost, except for trucking costs. The Street Division has approximately 5,000 tons of this excess grinding material stockpiled on the north side of Salas Park.

An inquiry from Frank Alegre, of Frank C. Alegre Trucking, Inc., to purchase the asphalt grindings prompted this request. Mr. Alegre has asked to purchase the grinding material for \$2 per ton (\$50 per truck load). Staff attempted to obtain competitive quotes. The only other interested party was A. M. Stephens Construction, who offered a price of \$1 per ton, when and if they have a use for it. They have no interest in purchasing any at this time. Over the years, various parties have requested asphalt grindings at no cost. (The City has used some for its own purposes as well.) The two firms mentioned above are the only ones who have offered to pay for the grindings. Staff feels the \$2 per ton price is a good one.

Lodi City Municipal Code §2.12.120, Disposition of Surplus Personal Property, requires City Council approval for sale of surplus property having a value in excess of \$2,000. Also, formal bidding is specified as part of this process.

Staff is requesting authorization to waive the bidding process given the limited market and to sell the surplus grinding material for \$2 per ton on a continuous basis through December 31, 2006, or until all material is gone. Staff would also sell the material to any responsible party under the same terms and price as extended to Frank C. Alegre Trucking, Inc.

FISCAL IMPACT: Cost recovery may be as much as \$10,000. Funds will be deposited in the Street Fund.

FUNDING AVAILABLE: None required.

Richard C. Prima, Jr.
Public Works Director

Prepared by Curt Juran, Assistant Street Superintendent
cc: George M. Bradley, Street Superintendent
Curt Juran, Assistant Street Superintendent
Rebecca Areida, Management Analyst
Joel Harris, Purchasing Agent

APPROVED: _____
Blair King, City Manager



TM

CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Accept Donation of Artwork from Winner of the Community Art Painting at the Lodi Arts Commission Art on the Square

MEETING DATE: July 19, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council accept the donation of artwork from the winner of the community art painting at the Lodi Arts Commission Art on the Square.

BACKGROUND INFORMATION: Mayor Hitchcock was recently contacted by the mother of the seven-year-old boy who won the community art painting at the Lodi Arts Commission's Art on the Square event and was informed that he wished to donate the painting to the City.

It is recommended that the City Council accept the donation as part of the City's inventory of public art. At the meeting of August 2, a Resolution of Appreciation will be presented to the young man for his generosity.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None.

Jennifer M. Perrin
Interim City Clerk

JMP

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Execute Contract Change Order for the Elm Street Paving Stone Replacement Project, School Street to Sacramento Street, and Appropriating Funds (\$45,000)

MEETING DATE: July 19, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution authorizing the City Manager to execute a contract change order for the Elm Street Paving Stone Replacement Project, School Street to Sacramento Street, to perform additional downtown street paving stone maintenance activities and appropriating an additional \$45,000 in Proposition 42 Transportation Improvement Act funds.

BACKGROUND INFORMATION: The paving stone subgrade within the travel lanes along Elm Street between School Street and Sacramento Street was recently repaired. The contractor completed the work within the original contract price of \$ 57,585.

However, some paving stones in areas along School Street between Locust Street and Lodi Avenue are showing signs of wear and tear, in some cases due to loss of sand between the joints. These paving stones were originally placed in 1995 as part of the Downtown Improvement Project. Staff requested the Contractor submit a proposal to remove and replace the paving stones in these areas and to re-compact the subgrade where failures have occurred. The price to perform these additional maintenance activities is \$52,728, as reflected on the attached proposal, and is comparable in price per square foot to the original bid price. It is recommended this work be completed before the rains to prohibit further deterioration of this downtown street. The City Attorney has reviewed and approved this process and proposal.

Staff is requesting Council authorize the City Manager to execute a contract change order for the Elm Street Paving Stone Replacement Project, School Street to Sacramento Street, to perform additional downtown street paving stone maintenance activities and appropriate an additional \$45,000 in Proposition 42 Transportation Improvement Act funds.

FISCAL IMPACT: The paving stones within areas along School Street have become unstable and will continue to further deteriorate if not addressed. The affected areas will continue to become larger and repair costs will increase if not performed prior to the winter months.

APPROVED: _____
Blair King, City Manager

FUNDING AVAILABLE: The money for this project will be coming from Proposition 42 Transportation
Improvement Act Funds.

Original Appropriation:	\$ 75,000
Original Contract Price:	\$ 57,585
Proposed Change Order:	\$ 52,728
Revised Contract Price:	\$110,313
Additional Appropriation Request:	\$ 45,000

Ruby Paiste, Interim Finance Director

Richard C. Prima, Jr.
Public Works Director

Prepared by Charlie Swimley, Senior Civil Engineer

RCP/CES/pmf

Attachment

cc: Joel Harris, Purchasing Officer
F. Wally Sandelin, City Engineer
George Bradley, Street Superintendent

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page 1

June 15, 2006

Wes Fujitani
City of Lodi

RE: Paver Work on School Street From North at Locust to South at Lodi Ave.

Area 1 From Locust to South Side of Elm see attached drawing.

Remove, add sand and re-install pavers 3 areas approximate total of 430 sq.ft.

Our price for R & R work is \$ **3,900.00**

Sanding and sweeping of entire block and intersection 19,917 sq.ft. @ \$.21/sq.ft.

Area 2 From Elm to South Side of Pine see attached drawing.

Remove, add sand and re-install pavers 5 areas approximate total of 1,519 sq.ft.

Our price for R & R work is \$ **12,000.00**

Sanding and sweeping of entire block and intersection 20,360 sq.ft. @ \$.21/sq.ft.

Area 3 From Pine to South Side of Oak see attached drawing.

Remove, add sand and re-install pavers 5 areas approximate total of 376 sq.ft.

Our price for R & R work is \$ **3,444.00**

Sanding and sweeping of entire block and intersection 20,010 sq.ft. @ \$.21/sq.ft.

Area 4 From Oak to South Side of Walnut see attached drawing.

Remove, add sand and re-install pavers 10 areas approximate total of 1,172 sq.ft.

Our price for R & R work is \$ **9,962.00**

Sanding and sweeping of entire block and intersection 18,457 sq.ft. @ \$.21 sq.ft.

Area 5 From Walnut to edge of pavers on North Side of Lodi Ave. see attached drawing.

Remove, add sand and re-install pavers 6 areas approximate total of 233 sq.ft.

Our Price for R & R work is \$ **2,738.00**

Sanding and sweeping of entire block 19,750 sq.ft. @ \$.21/sq.ft.

One pallet of 80mm 4x8 Mission Pavers needed for replacements. \$350.00

See page 2 for inclusions and exclusions.

page 2

Includes: Labor, Equipment and Sand to remove, re-grade the sand bedding course and re-install the existing pavers, inserting new pavers as needed from the pallet purchased by the City of Lodi.

Union Prevailing Wage Labor (regular daytime work hours)

Traffic control around the immediate area of work.

(Sanding and sweeping of the entire area if that add option is accepted)

Excludes: All areas not noted as part of this proposal, any additional areas can be priced as needed should they become an issue. Excludes re-painting any pavement markings.

All Bonds, and 11/85 Additional Insurance Endorsements.

(you should have our insurance information on file from Elm St)

Prices are based on doing one block and one intersection at a time move-in. Also, based on being provided approximately 2 adjacent parking stalls at each area for staging as we move from one area to the next. We will need to close the street in the area being repair or sanded.

If accepted, we will need a work/purchase order for these items. If you choose to break it up into selected areas please cross reference our proposal and drawings.

Earth Shelter Developers,

A handwritten signature in black ink, appearing to read 'Dan Williams', written over a horizontal line.

Dan Williams

SCHOOL STREET PAVERS PROPOSAL FROM EARTH SHELTERS

		Sq.Ft.	Remove and Replace	Sanding/Sweeping		
area 1	Locust-Elm	19917	\$ 3,900.00	\$ 4,182.57		
area 2	Elm-Pine	20360	\$ 12,000.00	\$ 4,275.60		
area 3	Pine-Oak	20010	\$ 3,444.00	\$ 4,202.10		
area 4	Oak-Walnut	18457	\$ 9,962.00	\$ 3,875.97		
area 5	Walnut-Lodi	19750	\$ 2,738.00	\$ 4,147.50		
TOTAL			\$ 32,044.00	\$ 20,683.74	\$	52,727.74
One pallet of 4X8 Mission Pavers			\$350			

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER FOR THE ELM STREET PAVING STONE REPLACEMENT PROJECT, SCHOOL STREET TO SACRAMENTO STREET, AND FURTHER APPROPRIATING FUNDS

=====

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to execute Contract Change Order for the Elm Street Paving Stone Replacement Project, School Street to Sacramento Street to perform additional downtown street paving stone maintenance activities; and

BE IT FURTHER RESOLVED, that \$45,000 be appropriated from the Proposition 42 Transportation Improvement Act funds for this project.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolutions Approving Renewal of Existing Downtown Parking Lot Cleaning Contract and Hutchins Street Square Landscape Maintenance Contract with United Cerebral Palsy of San Joaquin and Amador Counties, of Stockton, for Fiscal Year 2006/07 (\$59,840)

MEETING DATE: July 19, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt resolutions approving renewal of the existing Downtown parking lot cleaning contract and the Hutchins Street Square landscape maintenance contract with United Cerebral Palsy of San Joaquin and Amador Counties, of Stockton, for Fiscal Year 2006/07 in the amount of \$59,840.

BACKGROUND INFORMATION: United Cerebral Palsy (UCP) has been cleaning Downtown public parking lots and performing landscape maintenance at Hutchins Street Square since 2000. UCP provides meaningful work for the disabled. This program provides direct supervision for the UCP crew, thereby reducing City costs. In addition to strengthening the self-esteem of these crew members, the citizens of Lodi receive a service not otherwise provided. UCP has been called in the past from time to time to address one-time needs as well.

A UCP crew is composed of four (4) persons plus a supervisor. The contract rate for a crew is still \$43 per hour for parking lot cleaning and \$40 per hour for landscape maintenance. The higher rate covers transportation for the crew, debris hauling, and tools for use in the downtown parking lots. UCP is the only non-profit organization that pays minimum wage to the disabled. All others pay the crew members less and cite additional benefits such as training, transportation, supervision and overhead as reasons for below-minimum wage.

Work at Downtown Parking Lots

The contract is to remove trash and litter from the Downtown public parking Lots 1, 2, 3, 4, the Merlot lot, City Hall, Lodi Station, and Lodi Station Parking Structure. This service is provided Monday through Friday in the evenings. Some locations are serviced multiple times during the week. This contract reflects a 2% (13-hour) reduction in hours from 840 hours in 2005/06 to 827 total hours for 2006/07. This is a total 22% reduction since the 2004/05 fiscal year. This reduction was part of the Departmental reductions to meet the overall budget target. Although slight, the reduced hours will be implemented during the winter months in the Downtown public parking lots, not in the Parking Structure. Due to the changes of the Downtown parking lots (No. 5 and the theater) and the addition of the Merlot parking lot, adjustment in the hours needed as well as minor crew cost increases through the years due to the increases in minimum wage, our per-hour costs have gone up, and we have adjusted based on need and funding.

APPROVED: _____
Blair King, City Manager

Adopt Resolutions Approving Renewal of Existing Downtown Parking Lot Cleaning Contract and Hutchins Street Square Landscape Maintenance Contract with United Cerebral Palsy of San Joaquin and Amador Counties, of Stockton, for Fiscal Year 2006/07 (\$59,840)

July 19, 2006

Page 2

Work at Hutchins Street Square

The contract is to provide landscape maintenance, mowing of smaller areas, edging, weed removal, shrub trimming and related services to keep the grounds in good condition. This contract reflects a 12% (86-hour) reduction in hours from 696 hours in 2005/06 to 610 hours total for 2006/07. Staff believes that this level of maintenance will continue to keep the grounds in good condition but will review the conditions over the course of this contract.

FISCAL IMPACT: The overall fiscal impact is minor when service/benefit received is compared to cost. The entire community uses Downtown parking lots. A clean Downtown area gives the impression of a safe and welcoming environment. Lodi Station is not only the first impression for many visitors but also the only impression for many passing through Lodi by train. In addition, a well-maintained landscape is important to the services provided at Hutchins Street Square. Informal contacts with landscaping firms indicate that these services would be significantly higher if purchased through other means.

FUNDING AVAILABLE: Funds for this contract are provided in the 2006/07 Operating budget.
Project Estimate: \$35,600 (Downtown parking lots)
Budgeted: 10 General Fund – Downtown Parking Lot Maintenance(\$15,480)
12 Transit Fund – Lodi Station and Parking Structure Maintenance (\$20,120)
Project Estimate: \$24,420 (Hutchins Street Square landscaping)
Budgeted: 108525 Hutchins Street Square Maintenance

Ruby Paiste, Interim Finance Director

Steve Baker
Interim Community Center Director

Richard C. Prima, Jr.
Public Works Director

Prepared by George M. Bradley, Street Superintendent, and Steve Baker, Interim Community Center Director

RCP/GMB/pmf

cc: Curt Juran, Assistant Street Superintendent
Downtown Lodi Business Partnership

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE RENEWAL CONTRACT WITH UNITED CEREBRAL PALSY OF SAN JOAQUIN AND AMADOR COUNTIES, OF STOCKTON, FOR FISCAL YEAR 2006/2007 FOR DOWNTOWN PARKING LOT CLEANING

=====

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby authorizes the City Manager to execute renewal contract with Cerebral Palsy of San Joaquin and Amador Counties, of Stockton, for Fiscal Year 2006/2007 for Downtown Parking Lot Cleaning.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE
CITY MANAGER TO EXECUTE RENEWAL CONTRACT WITH
UNITED CEREBRAL PALSY OF SAN JOAQUIN AND AMADOR
COUNTIES, OF STOCKTON, FOR FISCAL YEAR 2006/2007 FOR
HUTCHINS STREET SQUARE LANDSCAPE MAINTENANCE

=====

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby
authorizes the City Manager to execute renewal contract with Cerebral Palsy of San
Joaquin and Amador Counties, of Stockton, for Fiscal Year 2006/2007 for Hutchins Street
Square Landscape Maintenance.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the
City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following
vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Execute Contract with San Joaquin County Sheriff's Office for Alternative Work Program (AWP) for General Maintenance within the City Parks and Recreation Facilities and Public Works Street Division

MEETING DATE: July 19, 2006

PREPARED BY: Parks and Recreation and Public Works Directors

RECOMMENDED ACTION: That the City Council adopt a resolution authorizing the City Manager to execute a contract with the San Joaquin County Sheriff's Office for the Alternative Work Program (AWP) for general maintenance within the City Parks and Recreation facilities and Public Works Street Division for the period July 1, 2006 through June 30, 2007.

BACKGROUND INFORMATION: The San Joaquin County Sheriff's Department provides an inmate program for work release, the Alternative Work Program (AWP). The objective of the work program's unit is to provide a more productive approach to physical incarceration of low-risk offenders, while at the same time providing benefits to the community which may not have been provided except for these programs. Release programs allow eligible low-risk offenders the opportunity to continue their employment or education. The programs can also help prepare the participant for re-entry into the community as a productive citizen.

The City of Lodi currently participates in two work programs: 1) Court Community Service and 2) Community Corp Work Program.

1) The local court has the option of assigning Community Service hours to individuals that come before them. The Park Division and Street Division have had a long-standing relationship with the local judges as a work site for Community Service participants. If assigned Community Service hours as part of a sentencing, the participant would contact either Division for work assignments. The participant is responsible for his or her own transportation to and from work. Staff tracks work hours and provides supervision of the participant. The appropriate supervisor provides the participant an orientation and a copy of City rules of the program. If the participant does not adhere to the rules of the program or is absent from the work site for 10 working days or more, their paperwork is returned to the local courts. The City provides no hourly compensation or insurance for these Community Service participants.

2) Both Divisions currently participate in the Community Corp work program offered through the San Joaquin County Sheriff's Department. Community Corp participants are scheduled through a central office of the Sheriff's Department. When a project is scheduled, participants are transported from the County facility directly to the work site. An Inmate Work Site Supervisor drives the bus to and from the County facility and provides work site supervision. It is the Inmate Work Site Supervisor's responsibility to supervise, direct and enforce program rules. The City does not provide transportation or supervision of Community Corp work program participants. Based on a current contract with the San Joaquin County Sheriff's Department, the City is charged a flat fee of \$300 per day for a Community Corp crew, including the supervisor and transportation. This fee is scheduled to increase to \$350 per day in July. The Street Division has used the Community Corp for roadside weed abatement and fire prevention. Also in

APPROVED: _____
Blair King, City Manager

Adopt Resolution Authorizing City Manager to Execute Contract with San Joaquin County Sheriff's Office for Alternative Work Program (AWP) for General Maintenance within the City Parks and Recreation Facilities and Public Works Street Division

July 19, 2006

Page 2

anticipation of the annual Grape Festival, the Corp performs clean up around the Highway 99 on and off ramps.

The Alternative Work Program is a third program, which is a voluntary and self-supporting release program through the San Joaquin County Sheriff's Department. Participants pay an administrative fee for the privilege of participating. City staff has been in communication with the Alternative Work Program Supervisor, Sgt. Chris Stevens, in an effort to produce a Request for Work Crew Persons agreement. The agreement for Parks work is attached. The one for Public Works would be similar. The City Attorney, City Risk Manager, Public Works Director and the Parks and Recreation Director have reviewed this document. The program has been discussed at a number of Parks and Recreation Commission meetings. The Parks and Recreation Commission is in favor of the program and recommends that the City Council approve this agreement. The Public Works Street Division also wishes to participate in the program.

Sgt. Chris Stevens will provide City staff two training opportunities. Later this month, the Sheriff's Department is offering "Site Supervisor Boot Camp" to all work site personnel, and Sgt. Stevens will provide custom training for the balance of City personnel.

The City of Lodi will be responsible for providing Alternative Work Program participants work site assignments, supervision, and workers' compensation insurance coverage. The Street Division will use AWP to supplement Street crews on daily maintenance activities, such as hot applied crack seal, sidewalk patching, downtown clean up, sidewalk and tree well clean-up. The Park Division will use AWP workers to supplement Park Maintenance crews on daily maintenance activities, such as vegetation control, mowing, trimming on most City parks, litter removal, facility field preparations, and restroom cleaning.

City staff, with the assistance of Sgt. Chris Stevens, will be prepared to answer questions the Council may have on this program.

FISCAL IMPACT: Other than providing staff time for on site supervision, the City would not experience any fiscal impact unless a participant filed a workers' compensation claim. The Risk Manager has recommended that if claims exceed \$10,000 in any one fiscal year, City staff should re-evaluate our position with the program.

FUNDING AVAILABLE: None required.

Tony C. Goehring
Parks and Recreation Director

Richard C. Prima, Jr.
Public Works Director

Prepared by Steve Dutra, Park Superintendent, and George M. Bradley, Street Superintendent
RCP/GB/myn

Attachment

cc: Steve Schwabauer, City Attorney
Steve Dutra, Park Superintendent
Kirk Evans, Risk Manager



SAN JOAQUIN COUNTY SHERIFF
Custody Division
Alternative Work Program
7000 Michael N. Canlis Boulevard
French Camp, CA 95231

Request For Work Crew Persons
(Please Type or Print)

ORGANIZATION: **CITY OF LODI PARKS DEPARTMENT** REPRESENTATIVE: **STEVE DUTRA**

MAILING ADDRESS: **125 North Stockton St, Lodi, CA 95240** SUPERVISOR: _____

TELEPHONE: **(209) 333- 6742**

FAX: **(209) 333- 6153**

WORK SITE ADDRESS OR GEOGRAPHICAL LOCATION: **CITY OF LODI PARKS AND PUBLIC AREAS**

TYPE OF WORK TO BE DONE: **GROUNDS MAINTENANCE**

DAYS WORKERS NEEDED: **Monday through Friday** HOURS: **0600-1430 summer, 0700-1530 winter**

REPORT TO WORK TIME: **0545 summer, 0645 winter** APPROXIMATE NUMBER OF WORKERS: **8**

RESTRICTIONS ON WORKERS: **No persons convicted of any sex offenses, No persons convicted of any weapons crimes in the last two years, No persons convicted of drug offenses (H&S 11000 series) in the last ten years. No persons convicted of child or spousal abuse, crimes of violence or worker's compensation fraud.**

In submitting this request for work crew persons, it is hereby agreed the following rules will be complied with prior to utilizing Workers:

1. Advise any labor union or employees association providing services to your agency of your participation in the Alternative Work Program.
2. Provide tools and any specialized clothing, equipment, or safety items that would be required to perform the duties under Cal-Osha regulations.
3. Provide adequate supervision for those performing the work to include the bookkeeping-attendance required to document the hours and type of work performed and reveal to and answer questions concerning the workers attendance to the San Joaquin County Sheriff Dept. Field Investigators when requested.
4. Provide worker's compensation and employer's liability coverage for each work crew person during the entire course of their work for the requesting agency.

By the signing of this agreement the requesting agency agrees that it shall indemnify and hold the county of San Joaquin free and harmless from any injury to work crew person which injuries are a result of and/or incidental to the work, service, and activities performed by the work crew person for the requesting agency as well as indemnifying and holding said County fee and harmless from an injury or damage which a work crew person may cause to a third party as a result of and/or incidental to a third party as a result of and/or incidental to the work, services, and activities performed by the work crew person for the requesting agency, except to the extent such injury or injuries arise out of or relate to the negligence, willful misconduct or breach of contract of county.

The requesting agency shall, at no cost to the County, defend the County from any claim whatsoever regarding injuries or damage to work crew person or damages to third parties as above specified.

The requesting agency shall not be obligated for any injury and/or damage occasioned by the **(sole and exclusive negligence)** replaced with negligence, recklessness, intentional misconduct or breach of this agreement of said County and or for the portion of **(active)** deleted negligence, willful misconduct or breach of contract, attributable to said county.

DATE

AUTHORIZED SIGNATURE

TITLE

DATE

WITNESS SIGNATURE

TITLE

DATE

SHERIFF'S OFFICE REPRESENTATIVE

TITLE

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT WITH SAN JOAQUIN COUNTY SHERIFF'S OFFICE FOR ALTERNATIVE WORK PROGRAM (AWP) FOR GENERAL MAINTENANCE WITHIN THE CITY PARKS AND RECREATION FACILITIES AND PUBLIC WORKS STREET DIVISION

=====

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby authorizes the City Manager to execute contract with San Joaquin County Sheriff's Office for Alternative Work Program (AWP) for General Maintenance within the City Parks and Recreation facilities and Public Works Street Division;

BE IT FURTHER RESOLVED, the term of this contract shall be for the period July 1, 2006 through June 30, 2007.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt resolution authorizing the City Manager to execute the service/maintenance agreement for Data 911 (\$80,000)

MEETING DATE: July 19, 2006

PREPARED BY: Jerry J. Adams, Chief of Police

RECOMMENDED ACTION: Authorize the City Manager to execute the Service/Maintenance Agreement for the police computerized information systems with Data 9-1-1 and authorize payment using funds as appropriated in the 2006-2007 police department operating budget (\$80,000).

BACKGROUND INFORMATION: Over the past five years the Lodi Police Department has purchased new computer systems from Data 9-1-1, consisting of Computer Aided Dispatch, Records Management System, Report Writing and Mobile Data Computers. With the systems in place, a maintenance agreement is needed to provide for receiving software upgrades/updates no longer covered under a warranty. This maintenance agreement will expire on June 30, 2007. This is an annual agreement and is included in the police department operating budget, as it has been in past years.

FISCAL IMPACT: \$79,067.15 from the 2006-2007 Police Department Operating Budget will be expended for the maintenance contract to Data 9-1-1.

FUNDING AVAILABLE: Police Department Operating Budget: 101031.7335

Ruby Paiste, Interim Finance Director

Steve Mann, Information Systems Director

Jerry J. Adams
Chief of Police

JJA:sm
Attachments
cc: City Attorney

APPROVED: _____
Blair King, City Manager

SOFTWARE ENHANCEMENT AND SERVICES AGREEMENT

This Agreement is made as of July 1st, 2006 at Lodi, San Joaquin County, California, by and between Hubb Systems, LLC DBA Data911 and the City of Lodi, a municipal corporation (Lodi Police Department) (Client).

1. **SOFTWARE.** Subject to the terms and conditions set forth in this Agreement, Data911 shall provide services hereinafter described with respect to Client's application software identified in Exhibit "A" attached hereto and made a part hereof by this reference.
2. **PAYMENT.** Client shall pay Data911 for services rendered as specified in Exhibit "A". Payment shall be made directly to Data911 as specified in Exhibit "A". Data911 shall submit all billings for said services to Client in the manner specified in Exhibit "A".
3. **SERVICE.** Data911 offers this software enhancement and services agreement and promises to provide the services detailed in Exhibit "B" attached hereto and made a part hereof by this reference.
4. **TERM.** Upon signature of this Agreement and payment as required in Exhibit "A" of this Agreement, the Agreement will be in full force and effect through the Agreement expiration date as described in Exhibit "A".
5. **EXHIBITS.** All exhibits referred to herein are attached hereto and are by reference incorporated herein as though set forth in full. Exhibit "A" includes a complete list of the software modules, fees for services, charges, commencement date, term of service, billing procedures and payment methods, which shall be covered under this agreement. Exhibit "B" Statement of Work details the services to be performed, non-chargeable services, chargeable services, levels of service. Exhibit "C", attached hereto and made a part hereof by this reference, refers to General Terms and Conditions of this Agreement.

Effective as of this day first above-stated.

CITY OF LODI, A MUNICIPAL CORPORATION
BLAIR KING, CITY MANAGER

DATE

DATA911 SYSTEMS

DATE

APPROVED AS TO FORM:
JANICE D. MAGDICH, DEPUTY CITY ATTORNEY

EXHIBIT A

I. Software Modules – Schedule of Annual Retainer Fees

Initial Quote				
Data911 Software				
1	CAD Server	CAD Server License	\$4,750.00	\$4,750.00
5	CAD	CAD Seat License	\$3,350.00	\$16,750.00
1	RPW/RMS Server	RMS/RPW Server License	\$3,570.00	\$3,570.00
1	RPW/RMS	RPW/RMS Site license	\$11,210.00	\$11,210.00
1	RX Server	RX Mobile Server	\$4,750.00	\$4,750.00
24	RX Mobile	RX Mobile Seats	\$315.50	\$7,572.00
1	ECOMM Server	ECOMM Server	\$4,670.00	\$4,670.00
3	ECOMM	ECOMM Seat License	\$264.00	\$792.00
24	MX	MX Seat License	\$92.50	\$2,220.00
1	Message Switch	Message Switch License	\$4,750.00	\$4,750.00
1	DOJ CLETS	DOJ CLETS Interface License	\$3,570.00	\$3,570.00
1	E911	E911 License	\$3,570.00	\$3,570.00
1	discount	Returning agency discount 10%	\$6,135.66	(\$6,817.40)
Third Party Software				
1	ORACLE	Oracle Server License	\$5700.00	\$5700.00
30	Ora lite	Oracle Lite Seat License	\$23.00	\$690.00
1	VMS	VMS O/S Licensing	\$2,200.00	\$2,200.00
1	Hummingbird	Hummingbird NFS License	\$165.00	\$165.00
Data911 MDS Maintenance				
26	MDS	MDS Maintenance	\$276.00	\$7176.00
5	MDS	MDS Maintenance	\$253.00	\$1265.00
Sales Tax				
1	Sales Tax	Sales Tax	N/A	N/A
Data911 2006 – 2007 ESA total				
			\$78,552.60	\$78,552.60

Extended Service Agreement			
1	ESA YR 1	Extended Services Maintenance and Support – (7/24 support per contract)	Included in Initial Quote

II. FEES FOR SERVICE

1. Fixed Annual Retainer Fee. Client shall pay Data911 the annual retainer fee, in the amount shown on this Exhibit A, which will be payable within 30 days of billing.
2. Fees based on time. All services requested by Client, which are not provided under the terms of this Agreement, shall be billed at Data911's then current rate. All amounts so billed shall be payable within 30 days after the invoice date.
3. This Agreement shall cover only application software modules described in this Exhibit A which were designed and/or installed by Data911 and which have not and will not be altered or enhanced by any entity (including Client) without the express prior written consent of Data911, such consent not to be unreasonably withheld. In the event of Client's use of additional application software designed and installed by Data911 or if additional hardware is connected or in any way interfaced to Client's computer system as described in this Exhibit "A", Data911 shall have the right to increase its fixed retainer fee and such increase shall be retroactive to the date of such respective first use or connection. Client shall give Data911 prompt written notice of any such connection.
4. In addition to the amounts payable by Client above, Client shall pay to Data911 all taxes and levies imposed on or with respect to this Agreement, the services performed or the fees paid hereunder (except for taxes based on net income).
5. Support fees for third party products will be billed in conjunction with the annual retainer fee.

III. PRICE CHANGES

Total price is subject to change upon the addition or deletion of software and hardware, or thereafter the anniversary date of this agreement, upon 90 days written advance notice.

IV. COMMENCEMENT DATE

Commencement date shall be 30 days after the installation of the final software module in the Lodi Police Department.

Inclusion of a newly installed module shall be invoiced to Client the first month following the module acceptance by Client. In subsequent "contract" years the additions will be included in the Schedule of Fees. Invoicing for a newly installed module and for contracts commencing other than the Client's fiscal year shall reflect the formula of monthly equivalent fee for the module multiplied by the remaining number of months in the "contract" year.

V. TERM

1. The term of this Agreement shall be for twelve months commencing on the date specified in this Exhibit A and shall continue from year to year thereafter, but shall be terminable by either party at the end of any contract year upon written notice given thirty days prior to the end of any contract year.
2. This Agreement may be terminated by either party upon ten days notice to the other in the event of any material default hereunder by the other party.
3. This Agreement may be terminated by Data911 if the application software is altered or enhanced by any entity (including Client) other than Data911, anything to the contrary herein notwithstanding.

4. No termination hereunder shall release Client from its obligation to make payment for services rendered through the date of termination.

VI. Billing Procedures and Payment Method

1. Client shall pay Data911 for services rendered based on the costs and terms as specified. Payment shall be made directly to Data911 for services rendered pursuant to this Agreement. Data911 shall submit an invoice for said services to Client at the address listed below:

Authorized Contact Person:	Abigail Baker
Agency Name:	Data911 Systems
Address:	2021 Challenger Drive
City, State Zip:	Alameda CA 94501
Phone:	510-865-9100 x120
Fax:	510-865-9090
Email:	abigail.baker@data911.com

EXHIBIT B

I. SERVICES TO BE PERFORMED

Data911 agrees to provide Client during the term of this Agreement, under the fees scheduled herein and subject to the provisions set forth below, the services hereinafter described with respect to Client's application software.

1. For Data911 Software Products, a two-hour response time during normal business hours (Monday – Friday, 0900 – 1700, excluding holidays) for emergency support requests. An emergency is defined as an application failure of the software defined in Exhibit A, attached hereto and made a part hereof, response is defined as the point in time when Data911 begins diagnosis of the reported problems. Client shall use the method of communication that is identified by Data911 for emergency service requests. Modem on-line software technical support service shall be used when applicable. Data911 shall provide 24-hour response time for on-site software emergency service, when required. Travel and accommodations charges incurred will be billed to Client. Data911 will keep travel costs to a minimum whenever possible.
2. Provision of media and for all new releases/modifications to the software modules listed in Exhibit A at no additional cost to Client. Installation, conversion of data, and training will be charged at a quoted hourly/not to exceed rate at the election of Client. Installation to take place between the hours of 0800 – 1700 Monday through Friday excluding holidays. Installation taking place on the weekends or after hours will be billed at the current published rate plus \$100/hour with a minimum of 4 hours.
3. Telephone consultation regarding:
 - (a) Questions related to public safety data practices and procedures.
 - (b) System administration consultation and assistance; e.g. paper flow and retention.
 - (c) Exceptions to Standard Procedures.
 - (d) Modification of Client's computer software or purchase of additional hardware.

II. NON-CHARGEABLE SERVICES

1. There shall be NO CHARGE for any minor or maintenance releases to Data911's Software. Maintenance releases include issue fixes. Maintenance releases are typically scheduled twice a year. Major releases are typically scheduled one every other year as identified by Data911. All minor, maintenance, and major releases will be implemented depending on Data911 and client resource availability.

III. CHARGEABLE SERVICES

1. Items listed below are not under Data911's control, and are therefore chargeable. Client will be billed at Data911's then-current rate or a fixed charge to be agreed upon.

Examples:

Assistance with software not written by Data911, including but not limited to:

- MS Office
- Word Processing

Operator Error:

- Recovery of lost data caused by hardware or operator error
- Requests of deletion of Reports due to incorrect information input by users
- Requests to change information contained within the database entered incorrectly by user

Incorrect workflow:

- Assistance due to failure to follow prescribed procedures
- Assistance due to failure to exercise normal care in data processing

Server Hardware, Client Hardware and/or software:

- Upgrading of client hardware (desktops/laptops)
- Installation of new operating system on client hardware
- Installation of critical patches for Microsoft components.
- Installation of software not written by Data911

Oracle Database:

- Assistance with recovery of Database due to user error (e.g., causing a database to need recovery due to an improper system shutdown)
- Assistance with patching of Oracle software if not purchased from Data911

Research, review, and revision of operational work.

Retraining on Data911 modules already operational

Additional copies of software documentation:

- One digital copy and CD will be provided

Installation:

- Installation of additional hardware
- Installation of additional Data911 software
- Installation of Data911 software upgrades

Cabling:

- To be quoted at published rates

- * Data911 time is chargeable in 1 hour increments for chargeable services requested/completed during normal business hours (8-5 Monday – Friday, excluding holidays).**
- * Additional time outside the hours of 8-5 Monday –Friday, excluding holidays will be charged at the published rate plus \$100/hour with a 4 hour minimum, dependant on resource availability.**
- * Travel and accommodations charges for on-site service calls will be billed to Client with an administrative fee of 5% of cost.**

EXHIBIT C

I. GENERAL

1. Data911 shall have full, Client-controlled, access to Client's computer system for purposes of performing its obligations under this Agreement. A 56K Baud Modem, VPN, and supporting telephone facility and services are to be supplied by the Client.
2. Custom programming for Client or special program modifications are not included under this Agreement.
3. At all times during the term of this Agreement, Data911 shall be an independent contractor and shall not be an employee of Client. Client shall have the right to control Data911 only insofar as the result of Data911's services rendered pursuant to this Agreement; however, Client shall not have the right to control the means by which Data911 accomplishes services rendered pursuant to this Agreement.
4. Data911 shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary for satisfactory performance of Data911's obligations pursuant to this Agreement.

Neither Data911 nor Client shall be liable to the other for any delay or failure in performance on their respective obligations, other than the obligation to pay any monies to the other party when such monies are due and payable, as a result of an event of force majeure. For the purpose of this section, events of force majeure are defined to be (a) any act, delay, or failure to act on the part of any governmental authority, (b) acts of God, (c) accident or disruption caused by fire or explosion, (d) any act, delay, or failure to act on the part of any subcontractor of Data911, or (e) labor difficulties such as strikes or slowdowns; in all cases, the occurrence of which is beyond the reasonable control, and not caused by the negligence of, the party claiming an excuse for its delay or failure in performance. The time for performance shall be extended for a period equal to the period during which the event of force majeure, as described in this section, prevented performance. Notwithstanding any implication to the contrary herein, no event of force majeure shall excuse Data911 from its obligation to provide any hardware, software or services to the extent it may obtain such hardware, software or services from a source other than the source, including its subcontractors, it originally intended to use in sufficient quantity and within sufficient time to meet such obligations at no material additional expense.

5. Data911 shall have no liability whatsoever for general damages, extraordinary costs, loss of profits, or incidental, indirect, special or consequential damages (even if it has been apprised of the likelihood thereof) arising out of or in connection with Data911's obligations or performance hereunder or any breach hereof. In the event of Data911's material breach of this Agreement, Client may cancel this Agreement and refuse to pay Data911's invoice for the particular service which is the immediate subject of the breach, such rights being the sole and exclusive remedies available to Client. Delay or failure of performance by Data911 shall not constitute a breach hereunder where the same is due to any cause or condition beyond Data911's reasonable control.

Data911 shall not be responsible for, and Client shall indemnify, defend and hold harmless Data911 from and against, and release Data911 from any claim by it with respect to, any and all claims, demands, suits, actions, proceedings, judgments, losses, damages, injuries, penalties, costs, expenses (including attorney's fees) and liabilities of, by or with respect to third parties, to the extent such arise from Client's negligence or willful misconduct.

6. Client shall be responsible for ensuring that all of its files are adequately duplicated on a current basis ("backed-up" as used in the trade) in accordance with the highest and most up-to-date standards of the computer industry and Client shall indemnify Data911 against Client's failure to do so.
7. If either party to this Agreement brings an action or proceeding at law or in equity to interpret this Agreement or any provision contained herein, or to seek damages or other redress for a breach, the prevailing party shall be entitled to recover in addition to all other remedies or damages, reasonable attorney's fees and costs incurred in such action or proceeding.
8. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective representatives, successors and assigns.
9. Equal Employment Opportunity - During the performance of this Agreement, Data911 agrees as follows:
 - A. Data911 will not discriminate against any employee or applicant for employment because of race, color, religion, or national origin. Data911 will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment upgrading, demotion, transfer, recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship. Data911 agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
 - B. Data911 will, in all solicitations or advertisements for employees placed by or on behalf of Data911 state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
 - C. Data911 will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Agreement, provided that the foregoing provisions shall not apply to contracts or subcontracts or standard commercial supplies or raw materials.
10. Data911 AS AGENTS - Except as Client may specify in writing, Data911 shall have no authority, express or implied, to act on behalf of Client in any capacity whatsoever as an agent. Data911 shall have no authority, express or implied, pursuant to this Agreement to bind Client to any obligation whatsoever.
11. CHANGES - The Client may, from time to time, request changes in the Scope of Services of the Agreement to be performed hereunder. Such changes including any increase or decrease in the amount of Data911's compensation, which are mutually agreed-upon by and between the Client and Data911, shall be incorporated in written amendments to this Agreement signed by each of the parties hereto.
12. This Agreement shall be construed and enforced in accordance with the laws of the State of California. Jurisdiction and venue of any action brought under this Agreement shall be in the County of San Joaquin.
13. Neither Data911 nor City shall be held to have waived any of the provisions hereof for failure to invoke any of the remedies available to them in the event of any breach by either Data911 or City of this Agreement. The waiver by Data911 or City of any provision of this Agreement shall not be deemed to be a waiver of any such provision on any subsequent breach of any other provisions.

14. All notices required or permitted to be given by either party to the other hereunder shall be in writing, sent by U.S. mail, postage prepaid, addressed to the other party at the address for it first above mentioned or to such other place as may have been given by similar notice by such other party. All notices shall be deemed given when properly posted except notice of change of address which shall be deemed given when received.
15. This instrument constitutes the complete and exclusive statement of the agreement between the parties and supersedes all contemporaneous and previous agreements and communications, oral or written, between the parties with respect to the subject matter of this Agreement. Any statement, agreement, representation or other communication or expression not contained herein is without authorization of, and shall not be binding on Data911. This Agreement may not be modified or supplemented except by an instrument duly executed on behalf of the then parties bound hereby including, if the same is a corporation, only by an officer thereof.

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO EXECUTE
SERVICE/MAINTENANCE AGREEMENT WITH DATA 911,
AND FURTHER AUTHORIZING PAYMENT OF FUNDS
APPROPRIATED IN THE 2006-07 POLICE DEPARTMENT
OPERATING BUDGET

=====

WHEREAS, over the past five years the Lodi Police Department has purchased new computer systems from Data 911, consisting of Computer Aided Dispatch, Records Management System, Report Writing and Mobile Data Computers; and

WHEREAS, with the system in place, a maintenance agreement is needed to provide for receiving software upgrades/updates no longer covered under warranty for the period July 1, 2006 through June 30, 2007.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute Service/Maintenance Agreement with Data 911 for computerized information systems; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes payment of \$80,000 from the 2006-07 Police Operating Budget.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt a resolution accepting funds in the amount of \$23,355, from the Bureau of Justice Assistance to support technology program activities within the Lodi Police Department.

MEETING DATE: July 19, 2006

PREPARED BY: Jerry J. Adams, Chief of Police

RECOMMENDED ACTION: That the City Council adopts a resolution authorizing the City Manager to sign agreement forms with the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, accepting grant funding in the amount of \$23,355.

BACKGROUND INFORMATION: On April 14, 2006, the Lodi Police Department submitted forms and a proposal for funding to the Bureau of Justice Assistance. The proposal was to use funds from the Justice Assistance Program to support technology program activities initially started with funding received from the Local Law Enforcement Block Grants (which have concluded). Technology support includes the replacement of computer hardware such as: Mobile Data Computers and associated software for patrol vehicles; replacement of in-house computer towers, servers and external tape drives; Linksys wireless adapters; and radar unit replacement. Software purchases include yearly license fees for Microsoft Office Systems and Suspect Image Database. Information about our grant proposal was communicated to the Lodi City Council. Information was also disbursed to citizens, for review and comment, on the Lodi Police Department website and the City of Lodi website; as required by grant parameters. No comments were received from the public.

The Lodi Police Department was awarded the grant by the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, in the amount of \$23,355. We now need to accept the grant funding.

FISCAL IMPACT: If the grant funding were to cease, the City would need to determine if the Police Department's computer technology would continue to be maintained at state-of-the-art levels via City funds.

FUNDING: Total Grant is \$23,355. There are no matching funds required.

Ruby Paiste, Interim Finance Director

Steve Mann, Information Systems Director

Jerry J. Adams, Chief of Police

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL ACCEPTING
GRANT FUNDS FROM THE BUREAU OF JUSTICE
ASSISTANCE TO SUPPORT TECHNOLOGY PROGRAM
ACTIVITIES WITHIN THE LODI POLICE DEPARTMENT

=====

WHEREAS, Lodi Police Department submitted a proposal for grant funding to the Bureau of Justice Assistance to support technology program activities; and

WHEREAS, the activities include replacement of computer hardware: Mobile Data Computers and associated software for patrol vehicles; replacement of in-house computer towers, servers and external tape drives, Linksys wireless adapters; and radar unit replacement; and

WHEREAS, software purchases include yearly license fees for Microsoft Office Systems and suspect Image Database; and

WHEREAS, the Lodi Police Department was awarded the grant by the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in the amount of \$23,355.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby accept grant funds in the amount of \$23,355 from the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance to support technology program activities as outlined above.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



TM

CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Setting Priorities for Filing Written Arguments Regarding Low-Income Discounts for Water and Sewer Services Measure Scheduled for the November 7, 2006, General Municipal Election and Directing the City Attorney to Prepare an Impartial Analysis

MEETING DATE: July 19, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council adopt the attached resolution setting priorities for filing written arguments regarding Low-Income Discounts for Water and Sewer Services measure scheduled for the November 7, 2006, General Municipal Election and directing the City Attorney to prepare an impartial analysis.

BACKGROUND INFORMATION: It is necessary for the City Council to adopt a resolution setting the priorities for filing written arguments for or against measures submitted for the ballot for the November 7, 2006, General Municipal Election, as well as setting forth the deadlines.

The following deadlines are hereby established pursuant to Elections Code Sections 9285, 9286, and 9220.

- Deadline for filing arguments (not exceeding 300 words) – **August 2, 2006**
- Deadline for filing rebuttal arguments (not exceeding 250 words) – **August 14, 2006**

Arguments must be filed in the City Clerk's Office on or before the deadlines established, during normal office hours.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None.

Jennifer M. Perrin
Interim City Clerk

JMP
Attachments

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, SETTING
PRIORITIES FOR FILING (A) WRITTEN ARGUMENT(S) REGARDING CITY MEASURES AND
DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, a General Municipal Election is to be held in the City of Lodi, California, on Tuesday, November 7, 2006, at which there will be submitted to the voters the measure for the Low-Income Discounts for Water and Sewer Services (text of the proposed resolution is attached as Exhibit A).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That the City Council authorizes all members of the City Council to file (a) written argument(s) In Favor of or Against City measure, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, in accordance with Article 4, Chapter 3, Division 9, of the Elections Code of the State of California and to change the argument until and including the date fixed by the City Clerk, after which no arguments for or against the City measure may be submitted to the City Clerk.

SECTION 2. That the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney who shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Dated: July 19, 2006

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL
ESTABLISHING LOW-INCOME DISCOUNTS FOR
WATER AND SEWER SERVICES

WHEREAS, with the implementation of new water, sewer, and refuse rates and charges adopted April 27, 2004, the Lodi City Council adopted Ordinance No. 1750 amending Lodi Municipal Code Chapter 13.04, §13.04.130, "Low Income Adjustments," at its September 15, 2004, City Council meeting; and

WHEREAS, the City Council now desires to adopt a resolution establishing Water and Sewer Services discounts for eligible low-income residents, and further desires to place the Measure on the November 2006 ballot for citizen approval.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Lodi City Council does hereby approve and establish low-income discounts for water and sewer services as shown below, which shall become effective the first billing period following the effective date of this Resolution:

For Residential Customers who qualify for the Electric SHARE Program discount:

Water	20%	Discount on the Residential Flat Rate
Wastewater	20%	Discount on the Residential Flat Rate for Disposal to the Domestic System

OR,

For Residential Customers who qualify for the Electric Senior/Fixed-Income discount:

Water	10%	Discount on the Residential Flat Rate
Wastewater	10%	Discount on the Residential Flat Rate for Disposal to the Domestic System

BE IT FURTHER RESOLVED that the water and wastewater discounts shall be funded by the ratepayers, collected with utility bills; and

BE IT FURTHER RESOLVED that the programs will be limited to two percent (2%) of the revenue of each utility. At current revenue levels, this equals \$164,234.00 in the water utility and \$164,630.00 per year in wastewater; and

BE IT FURTHER RESOLVED that the City Council does hereby direct staff to institute a verification program whereby every three years, 10% of one third (1/3) of the applicants' eligibility is re-confirmed; and

BE IT FURTHER RESOLVED that this Measure shall be placed on the November 7, 2006, Ballot for citizen approval.

Dated: July 5, 2006

I hereby certify that Resolution No. 2006-130 was passed and adopted by the City Council of the City of Lodi at its regular meeting held July 5, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, and Mayor Hitchcock

NOES: COUNCIL MEMBERS – Johnson and Mounce

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


JENNIFER M. PERRIN
City Clerk



CITY OF LODI

COUNCIL COMMUNICATION

TM

AGENDA TITLE: Authorize Funds from the Protocol Account for the City Council to Host a Reception Honoring Members of Council-appointed Boards, Commissions, Committees and Task Force Groups (Approximately \$2,600 / \$20 per person)

MEETING DATE: July 19, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council, pursuant to Resolution No. 2000-126, authorize funds from the Protocol Account and direct the City Clerk to coordinate the Council-hosted reception honoring members of all City Council-appointed boards, commissions, committees, and task force groups.

BACKGROUND INFORMATION: The City Clerk's Office traditionally coordinates an annual event hosted by the City Council to extend its appreciation to citizens who generously volunteer their time and talents toward serving their community. The total for the 2006 event is slightly higher to reflect the additional cost to include members of the Grape Bowl Ad Hoc Committee (nine members appointed on February 1, 2006.)

The proposed format for this year's event will be a reception at Hutchins Street Square ~ Crete Hall. The event is scheduled for Thursday, August 31, 2006, from 6:00 to 8:00 p.m.

History of costs related to this event:

2000	\$5,000	2003	\$5,900
2001	\$5,500	2004	\$5,500
2002	\$6,000	2005	\$2,400

Below is a cost estimate for the 2006 event:

Reception at Crete Hall, Hutchins Street Square \$20 per person x #**130** = *\$2,600
**Includes: Invitations, catering services, food, beverages, rentals, decorations, and security*

FISCAL IMPACT: \$12,000 has been appropriated in the Protocol Account for fiscal year 2006-07, from which the cost of this event will be deducted.

FUNDING: \$2,600 from Protocol Account 100120

 Ruby Paiste, Interim Finance Director

 Jennifer M. Perrin
 Interim City Clerk

JMP/jlt

APPROVED: _____
 Blair King, City Manager

Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

Comments by the City Council Members on non-agenda items



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Denial of Verified Claim(s) against the City of Lodi

MEETING DATE: July 19, 2006

PREPARED BY: Risk Management

RECOMMENDED ACTION: That Council by motion action, deny the following verified Claim(s) filed against the City of Lodi.

(A) Amber L. Novak
(B) Bethsaida Bahena
(C) Janis Southard

Date of Loss: May 19, 2006
Date of Loss: December 14, 2005
Date of Loss: June 14, 2006

BACKGROUND INFORMATION: Following review of verified claims filed against the City of Lodi, the City's contract administrator, DB Claims and Human Resources staff, recommend the City deny the subject claim(s).

FISCAL IMPACT: N/A

FUNDING AVAILABLE: None Required

Kirk Evans, Risk Manager

Attachments

cc: City Attorney
DB Claims

APPROVED: _____
Blair King, City Manager



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Appointments to the Greater Lodi Area Youth Commission (Adult Advisors), Library Board of Trustees, Lodi Arts Commission, and Lodi Planning Commission

MEETING DATE: July 19, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Council, by motion action, concur with the Mayor's recommended appointments to the Greater Lodi Area Youth Commission (Adult Advisors), Library Board of Trustees, Lodi Arts Commission, and Lodi Planning Commission.

BACKGROUND INFORMATION: As indicated below, the City Clerk's Office was directed to post for various expiring terms and vacancies. It is recommended that the City Council concur with the following appointments.

Greater Lodi Area Youth Commission (posting of expiring terms ordered on 4/19/06 and vacancy ordered on 5/17/06)

Adult Advisors:

Brad Vander Hamm	Term to expire May 31, 2009
Elizabeth Mazzeo	Term to expire May 31, 2009
Summer Pennino	Term to expire May 31, 2009
Jeffrey Palmquist	Term to expire May 31, 2007 (NOTE: Fills unexpired term)

NOTE: Four applicants (two seeking reappointment and two new applications); published in Lodi News Sentinel 4/22/06 and 5/20/06; application deadlines 5/22/06 and 6/19/06

Library Board of Trustees (posting of expiring terms ordered on 4/19/06)

Suga Moriwaki	Term to expire June 30, 2009
Paula Albertson	Term to expire June 30, 2009

NOTE: Three applicants (one new application and two applications on file); published in Lodi News-Sentinel 4/22/06; application deadline 5/22/06

Lodi Arts Commission (posting of expiring term ordered on 4/19/06)

Jennifer Walth	Term to expire July 1, 2009
----------------	-----------------------------

NOTE: One applicant (one new applicant); published in Lodi News-Sentinel 4/22/06; application deadline - continuous until filled

Lodi Planning Commission (posting of expiring term ordered on 4/19/06)

* [REDACTED] Term to expire June 30, 2010

NOTE: 11 applicants (one seeking reappointment; 4 new applications; and 6 applications on file); published in Lodi News-Sentinel 4/22/06; application deadline 5/22/06

***BLUE SHEET WILL BE PRESENTED AT THE MEETING**

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

JMP

Jennifer M. Perrin
Interim City Clerk

APPROVED: _____
Blair King, City Manager



TM

CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Monthly Protocol Account Report

MEETING DATE: July 19, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: None required, information only.

BACKGROUND INFORMATION: The City Council, at its meeting of July 19, 2000, adopted Resolution No. 2000-126 approving a policy relating to the City's "Protocol Account." As a part of this policy, it was directed that a monthly itemized report of the "Protocol Account" be provided to the City Council.

Attached please find the cumulative report through June 30, 2006.

FISCAL IMPACT: N/A

FUNDING AVAILABLE: See attached.

Jennifer M. Perrin
Interim City Clerk

JMP

Attachment

APPROVED: _____
Blair King, City Manager

PROTOCOL ACCOUNT SUMMARY
Cumulative Report
July 1, 2005 through June 30, 2006

Date	Vendor	Description	Amount	Balance
				Starting Bal. \$12,000.
07-05-05	Lakewood Drugs	Clock – farewell gift from City to Dep. City Mgr. J. Keeter	43.05	
07-08-05	Lasting Impressions	Engraving (on J. Keeter gift)	42.99	
07-12-05	Touch of Mesquite*	*Deposit for catering services at Aug. 18 Annual Boards & Commissions Reception	320.00	
07-14-05	Security at HSS	3.5 hrs x \$15 (Aug. 18 event)	52.50	
07-26-05	O.C. Tanner	3 City grape emblems (supply for future City gifts)	70.29	
08-17-05	Arthur's Party World	Balloon decorations (for Aug. 18 Boards & Commissions Recognition Reception)	44.18	
08-17-05	Lowe's	Table flowers & baskets (for Aug. 18 Boards & Commissions Recognition Reception)	72.46	
08-17-05	Lodi Wine & Visitors Center	Wine (for Aug. 18 Boards & Commissions Recognition Reception)	232.16	
08-17-05	Arthur's Party World	Table decorations (for Aug. 18 Boards & Commissions Recognition Reception)	34.31	
08-17-05	Michael's	Table decorations (for Aug. 18 Boards & Commissions Recognition Reception)	7.85	
08-17-05	Smart & Final	Napkins, plates, glasses (for Aug. 18 Boards & Commissions Recognition Reception)	105.67	
08-24-05	Touch of Mesquite	Catering services (for Aug. 18 Boards & Commissions Recognition Reception) *Note: See deposit 7-12-05.	1,035.55	
11-08-05	Lasting Impressions	Engraving perpetual plaque 2005 Community Service Award	18.75	
11-11-05	JoAnn's Fabric	Ribbon for certificates	6.11	
11-30-05	Travis Catering	Catering services for Joint luncheon meeting with Faith Community/City Council	676.67	
11-30-05	Lowe's	Table centerpieces for Joint luncheon meeting with Faith Community/City Council	87.64	

11-30-05	Fritz Chin Photography	Group photo 11"x14" for community service award recipients	189.00	
12-01-05	Lasting Impressions	Outgoing Mayor's Plaque	88.89	
12-02-05	Dekra-Lite	Two (2) Centennial Banners	326.43	
12-07-05	Black Tie	Catering services for 12-7-05 Council reorganization reception	900.00	
12-09-05	Staples	Christmas Cards for Holiday Deliveries (to City staff)	12.99	
12-13-05	Specialty Cakes	Baked goods for holiday deliveries by Council to all City departments	488.00	
01-02-06	Dayspring Pen Shop	Centennial pens #160	347.65	
01-04-06	Specialty Cakes	Centennial cake for kickoff Council meeting	65.00	
01-04-06	Jerry Tyson	Photographer – one hour at Jan. 4 kickoff event	75.00	
01-10-06	Myshopangel.com	Centennial bags #250 (for Wall Dogs visiting artists hospitality bags)	208.87	
02-06-06	Stockton Blue	Sign for first oak tree planting	43.64	
03-07-06	Positive Promotions	300 children's activity books for May 21 Celebration on Central Event/Council Booth	173.65	
03-07-06	Dayspring Pen Shop	67 key chains w/Centennial logo for August 2006 Boards & Commissions Recognition Event – hosted by Council	175.10	
03-28-06	Abrahamson Printing	1,000 envelopes for cardstock (City seal embossed invitations)	92.94	
05-02-06	Gluskins Camera	Photo enlargement – Council planting 1 st Centennial tree at Carnegie Forum	16.16	
05-09-06	Oriental Trading Co.	Celebration on Central 5/21 Council booth - patriotic pencils and fans as handouts	144.25	
05-10-06	Smart Foods	Celebration on Central 5/21 Council booth - candy for kids	27.93	
05-17-06	Black Tie Gourmet	Farewell Reception for City Clerk Susan Blackston	400.00	
05-31-06	Jerry Tyson	Photo services to capture progressive work on Wall Dogs Murals	187.50	
06-08-06	Frames & Fine Things	Framing of Council Photo – 1 st Centennial Tree Planting	86.72	
			<i>Total Expenditures:</i> (\$6,899.90)	<i>Ending Bal.</i> \$5,100.10



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Consider Adoption of Resolution Affirming July 1 Opening and October 1 Closing Date for Filing Applications for Residential Allocations Under the Lodi Growth Management Ordinance, and Direct Staff to work with the Development Community to Establish a New Timeline for Council Approval of Various Elements of Development Approvals.

MEETING DATE: July 19, 2006 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council adopt Resolution affirming July 1 Opening and October 1 Closing Date for Filing Applications for Residential Allocations under the Lodi Growth Management Ordinance.

BACKGROUND INFORMATION: The Lodi City Council established the opening and closing dates for Growth Management Allocation Applications in 1991 through Resolution 91-171 (Exhibit A). Resolution 91-171 provides that applications may not be filed until July 1 of each year, and that the application period closes on October 1 of each year. Subsequent to the passage of Resolution 91-171, former City staff working with the development community, established a new timeline for filing growth management applications, moving the closing date up to May 31. This new process was never codified in a new Council resolution, instead being imposed solely at the staff level upon staff authority. However, staff has no authority to contravene the express will of the Council as codified in a Resolution without seeking Council authority.

One could argue that such authority was later granted by Council through the passage of the 2003 Housing Element Update. The Housing Element update states:

A constraint unique to Lodi is that development plans may only be submitted during the month of May, the deadline for obtaining a housing unit allocation under the City's growth management process. If the deadline is missed, projects have to wait another year before submitting applications and the review process can begin again. The City could mitigate this constraint by providing a process whereby allocations would be approved at least semi-annually or quarterly during years when the number of allocations that can be granted are not exhausted in May. . . .For developers knowledgeable of the City's residential permit allocation process, the annual process (once per year in May) does not present a serious time constraint or delay because such developers plan their applications submittals to the City to account for the timing of the allocation, and the development plan review occurs as part of the allocation process (2003 Housing Element Update P.III-34 to 35 - marked as Exhibit B).

However, the affirmation of this change was not explicitly brought to the Council's attention, instead being presented as the established policy. For this reason, staff felt it important to bring the question back to Council for a final resolution.

APPROVED:

Blair King, City Manager

Resolution 91-171 also sets a number of other follow-up deadlines to the growth management allocation process. However, the follow-up dates are not established in writing or in any remaining oral history of the Community Development Department for the Staff Policy. Nor are any of these follow-up dates reflected in the 2003 Housing Element Update.

	<u>Resolution No. 91-171</u>	<u>Staff Policy</u>
Determination of Completeness of Application	November 1	?
Initial Study under California Environmental Quality Act (CEQA)	December 1	?
Complete Draft Environmental Impact Report, (EIR) if required	March 1	?
Environmental Impact Report (EIR) Public Comment Close	April 15	?
Final Environmental Impact Report (EIR)	May 1	?

None of the above timetables are workable where an EIR is required (which is the case with two of the projects currently being processed by staff). Staff has been informed by outside consultants that the minimum time frame for a draft EIR is six months and more likely nine months. Moreover, the 15 days provided before bringing the EIR to Council for certification does not provide adequate time to analyze and respond to public comment or bring the EIR to Planning Commission for a recommendation. As such a new process is needed.

Accordingly, staff recommends that the Council affirm the timelines set forth in Resolution No. 91-171 and direct staff to work with the development community to establish a new timeline for Council approval. This change would not be a significant change to our housing element or affect its certification negatively because it is a one-time change that will not slow the annual allotment of housing other than in one year.

FISCAL IMPACT:

Stephen Schwabauer, City Attorney

RESOLUTION NO. 91-171
=====

A RESOLUTION OF THE LODI CITY COUNCIL
ESTABLISHING GUIDELINES, CONTENTS, AND TIME FRAMES
OF AND FOR DEVELOPMENT PLANS
=====

WHEREAS, Ordinance No. 1521, adopted by the City Council on September 18, 1991 provides that a "Development Plan" shall be submitted for all tentative maps, parcel maps and other approvals under the Subdivision Map Act; and

WHEREAS, Ordinance No. 1521 further provides that the format and contents of such development plans shall be established by Council resolution;

NOW, THEREFORE, BE IT RESOLVED, by the City Council that the following shall apply to Development Plans:

A. Development Plan: Contents.

A development plan shall include:

1. A map showing any street system and/or lot design proposed within the development. Any area proposed to be dedicated or reserved for parks, open-space conservation, playgrounds, school sites, public buildings, churches and other such uses *must* be shown. Compliance with this requirement shall not be construed to relieve the applicant from compliance with City and State Subdivision regulations or any other applicable local or state laws.

2. A map showing the location of all trees over nine (9) inches in diameter with an indication of removal or incorporation into project design.
3. If required by the Community Development Department, a map showing the topography (with contour lines at one-foot intervals) shall be provided by the applicant. The map shall indicate the proposed elevations at the project boundaries and adjacent waterways;
4. The applicant shall provide a land-use plan for the proposed development indicating the areas to be used for the various purposes; a land-use map showing existing uses within the development and uses (including agricultural uses) within five hundred feet of the proposed development;
5. A plot plan for each building site or sites, except single-family residents on standard lots in the proposed development or any other portion thereof as required by the Community Development Department. A plot plan shall show the approximate location of all proposed buildings, indicate maximum and minimum distances between buildings and between buildings and property or building site lines;
6. Any or all of the following plans and diagrams may also be required to be included on the plot plan or appended thereto:
 - (a) Off-street parking and loading plan.

RES91171/TXTA.02J

- (b) A circulation diagram indicating the proposed movement of vehicles, goods and pedestrians within the development and to and from adjacent public thoroughfares.
- 7. Elevations or perspective drawings of all proposed structures, except single-family residences and their accessory buildings. Such drawings need not be the result of final architectural decisions and need not be in detail. The purpose of such drawings is to indicate within stated limits the height of proposed buildings and the general appearance of the proposed structures to the end that the entire development will have architectural unity and be in harmony with the surrounding developments;
- 8. Engineering data as described in the City of Lodi Public Improvement Design Standards.

B. Development Schedule.

- 1. An application shall be accompanied by a development schedule indicating to the best of the applicant's knowledge the approximate date when construction of the project can be expected to begin, the anticipated rate of development and the completion date. The development schedule, if approved, shall become a part of the development plan and shall be adhered to by the owner or owners of the property and his successors in interest.

2. From time to time the Planning Commission shall compare the actual development accomplished with the approved development schedules.
3. If, in the opinion of the Planning Commission, the owner or owners of property are failing or have failed to meet the approved schedule, the Planning Commission may initiate proceedings to amend or revoke the approval of the development plan.
4. If the Tentative Subdivision Map is not filed one year after approved, the Planning Commission may forfeit the approved allocations to the next project on the list.
5. If the Planning Commission determines that a proposed Development Plan will require multi-year allocation to complete, each year of the development schedule shall be approved for a stated number and type of residential units.
6. Tentative Subdivision Maps will not be accepted until the Planning Commission has approved the Development Plan and Development Schedule and allocated the number of units either on a single-year or multi-year basis. The City may require individual tentative maps for each year's phasing of multi-year allocations.

C. Applications for Allocation: Time.

1. The application period for allocation of residential units in the City shall open July 1 and close October 1 of each year.

RES91171/TXTA.02J

2. The City shall make a Determination of Completeness by November 1 of the same year.

3. An Initial Study under the California Environmental Quality Act shall be completed and a preliminary point score evaluation of the project, utilizing the criteria adopted by Council resolution hereunder, shall be done by the City no later than December 1.

4. On or before the following March 1, a Draft Environmental Impact Report (if required) shall be completed.

5. The period for public review/comment on the Draft Environmental Impact Report shall end April 15 and the final Environmental Impact Report completed by May 1.

6. The Planning Commission and City Council shall thereafter, not later than July 1, conduct all necessary public hearings and reviews of the proposed projects, and shall approve or deny such proposals.

7. Based on such hearings/reviews and by reference to the point system evaluation described in this Chapter, the City Council shall, not later than September 30, allocate approvals of residential units. Thereafter, applicant shall submit a tentative map for a project, utilizing the number of allocated units awarded for each year.

Dated: September 4, 1991

=====

I hereby certify that Resolution No. 91-171 was passed and adopted by the Lodi City Council in a regular meeting held September 4, 1991 by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock, Snider
and Hinchman (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Alice M. Reimche
City Clerk

91-171

RES91171/TXTA.02J

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2003-2009 HOUSING ELEMENT

CITY OF LODI



Site Plan and Architectural Review is facilitated by the Site Plan and Architectural Approval Committee, which was established to assist the Planning Commission in reviewing site plans and architectural drawings. Four of the five members are appointed by the Mayor, while the fifth member is the Vice-Chair of the Planning Commission. The decision issued by the Site Plan and Architectural Review Committee is appealable to the City Planning Commission. The City's Planning Commission is the final regulatory authority that issues decisions on most developments within the City.

Applicants are required to submit the following information to the City for Committee review:

- Siting of structures so as to preserve light and air on adjoining properties;
- Landscaping and/or fencing of yards and setback area, use of landscaping and/or wall or fencing for screening purposes;
- Design of ingress and egress;
- Off-street parking and loading facilities;
- Drawings or sketches of the exterior elevations; and
- Designation of location of existing fire hydrants.

These requirements are relatively easy to meet and do not add significantly to the cost or time required for site plan review.

The Committee may approve, disapprove, or conditionally approve a project subject to compliance with modifications or conditions it deems necessary to comply with the City's zoning code standards. The Committee has up to 21 days to make a decision. Upon approval of submitted plans, or at the expiration of twenty-one days, the City's issues building permit, provided that all building code requirements have been met and the applicant does not need a use permit (which triggers Planning Commission review).

The Committee's decision may be appealed to the Planning Commission. Appeals must be filed within five working days of the Committee's decision.

Project Approval Timeframes

A typical residential subdivision takes approximately four to five months to be approved through the required steps of the development plan review process. If the project is subject to compliance with the California Environmental Quality Act, an additional four to five months may be required to obtain all necessary project approvals.

Development of multifamily housing units is subject to review by the Site Plan and Architecture Approval Committee. It takes approximately eight weeks to complete staff review before the development can be submitted to the committee. Smaller developments in the City such as one single family home or two- to four-unit multifamily structures are only required to obtain building permits, which takes significantly less of time than the site plan and architectural review process.

A constraint unique to Lodi is that development plans may only be submitted during the month of May, the deadline for obtaining a housing units allocation under the City's growth management process. If the deadline is missed, projects have to wait another year before submitting applications and the review process can begin again. The City could mitigate this constraint by providing a

process whereby allocations could be approved at least semi-annually or quarterly during years when the number of allocations that can be granted are not exhausted in May.

Table III-10: Development Approval Timeframes

Development Permit/Review Process	Time Frame
Administrative Deviation	2-3 weeks
Use Permit	4 weeks
Tentative Tract Map	4 weeks
Development Plan Review	4-5 months
General Plan Amendment/Rezone	6 weeks
Environmental Review (EIR)	5 months
Appeal to Planning Commission	4 weeks
Appeal to City Council	4 weeks

Source: City of Lodi, 2003

A typical single-family development will require a residential allocation, tentative and final tract map, environmental review (Negative Declaration or EIR), Planning Commission review, City Council review (if a Planning Commission decision is appealed), and construction permits (building, grading, etc.). From start to finish, the process will typically take six to 12 months. A large or complex project, particularly one triggering state or federal environmental mandates, can take longer.

A typical multi-family project will require a residential allocation, use permit, environment review, development plan review, Planning Commission review, and City Council review (if a Planning Commission decision is appealed), and construction permits (building, grading, etc.). From start to finish, the process will typically take six to nine months. A large or complex project, particularly one triggering state or federal environmental mandates or an EIR, can take longer.

For developers knowledgeable of the City's residential permit allocation process, the annual process (once per year in May) does not present a serious time constraint or delay because such developers plan their applications submittals to the City to account for the timing of the allocation, and the development plan review occurs as part of the allocation process.

Use Permits

Chapter 17.72 of Lodi's Zoning Ordinance includes regulations and standards related to the granting of use permits. All developments requiring use permits are subject to the same review process, regardless of use. Residential uses required to obtain use permits in Lodi, depending on the zoning district (see Table X-1), include second units, family care homes, rest homes, convalescent homes, and mobile home/travel trailer parks.

Use permits are approved by the City's Planning Commission. The Commission must find that the proposed use will not be detrimental to the health, morals, comfort, or welfare of the citizens of the immediate, surrounding neighborhood and the City in general. These standards are typical

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL AFFIRMING
JULY 1 OPENING AND OCTOBER 1 CLOSING DATE FOR
FILING APPLICATIONS FOR RESIDENTIAL ALLOCATIONS
UNDER THE LODI GROWTH MANAGEMENT ORDINANCE

=====

WHEREAS, the Lodi City Council established the opening and closing dates for Growth Management Allocation Applications in 1991 by adopting Resolution 91-171 (Exhibit A); and

WHEREAS, Resolution 91-171 provides that applications may not be filed until July 1 of each year, and that the application period closes on October 1 of each year; and

WHEREAS, subsequent to the passage of Resolution 91-171, former City staff working with the development community, established a new timeline for filing growth management applications, moving the closing date up to May 31; and

WHEREAS, this new process was never codified in a new Council resolution, instead being imposed solely at the staff level upon staff authority; and

WHEREAS, Resolution 91-171 also sets a number of other follow-up deadlines to the growth management allocation process; and

WHEREAS, staff recommends that the City Council affirm the timelines set forth in Resolution No. 91-171 and direct staff to work with the development community to establish a new timeline for Council approval.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby affirm the timelines set forth in Resolution No. 91-171 and hereby directs staff to work with the development community to establish a new timeline for Council approval.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____

RESOLUTION NO. 91-171
=====

A RESOLUTION OF THE LODI CITY COUNCIL
ESTABLISHING GUIDELINES, CONTENTS, AND TIME FRAMES
OF AND FOR DEVELOPMENT PLANS
=====

WHEREAS, Ordinance No. 1521, adopted by the City Council on September 18, 1991 provides that a "Development Plan" shall be submitted for all tentative maps, parcel maps and other approvals under the Subdivision Map Act; and

WHEREAS, Ordinance No. 1521 further provides that the format and contents of such development plans shall be established by Council resolution;

NOW, THEREFORE, BE IT RESOLVED, by the City Council that the following shall apply to Development Plans:

A. Development Plan: Contents.

A development plan shall include:

1. A map showing any street system and/or lot design proposed within the development. Any area proposed to be dedicated or reserved for parks, open-space conservation, playgrounds, school sites, public buildings, churches and other such uses *must* be shown. Compliance with this requirement shall not be construed to relieve the applicant from compliance with City and State Subdivision regulations or any other applicable local or state laws.

2. A map showing the location of all trees over nine (9) inches in diameter with an indication of removal or incorporation into project design.
3. If required by the Community Development Department, a map showing the topography (with contour lines at one-foot intervals) shall be provided by the applicant. The map shall indicate the proposed elevations at the project boundaries and adjacent waterways;
4. The applicant shall provide a land-use plan for the proposed development indicating the areas to be used for the various purposes; a land-use map showing existing uses within the development and uses (including agricultural uses) within five hundred feet of the proposed development;
5. A plot plan for each building site or sites, except single-family residents on standard lots in the proposed development or any other portion thereof as required by the Community Development Department. A plot plan shall show the approximate location of all proposed buildings, indicate maximum and minimum distances between buildings and between buildings and property or building site lines;
6. Any or all of the following plans and diagrams may also be required to be included on the plot plan or appended thereto:
 - (a) Off-street parking and loading plan.

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- (b) A circulation diagram indicating the proposed movement of vehicles, goods and pedestrians within the development and to and from adjacent public thoroughfares.
- 7. Elevations or perspective drawings of all proposed structures, except single-family residences and their accessory buildings. Such drawings need not be the result of final architectural decisions and need not be in detail. The purpose of such drawings is to indicate within stated limits the height of proposed buildings and the general appearance of the proposed structures to the end that the entire development will have architectural unity and be in harmony with the surrounding developments;
- 8. Engineering data as described in the City of Lodi Public Improvement Design Standards.

B. Development Schedule.

- 1. An application shall be accompanied by a development schedule indicating to the best of the applicant's knowledge the approximate date when construction of the project can be expected to begin, the anticipated rate of development and the completion date. The development schedule, if approved, shall become a part of the development plan and shall be adhered to by the owner or owners of the property and his successors in interest.

2. From time to time the Planning Commission shall compare the actual development accomplished with the approved development schedules.
3. If, in the opinion of the Planning Commission, the owner or owners of property are failing or have failed to meet the approved schedule, the Planning Commission may initiate proceedings to amend or revoke the approval of the development plan.
4. If the Tentative Subdivision Map is not filed one year after approved, the Planning Commission may forfeit the approved allocations to the next project on the list.
5. If the Planning Commission determines that a proposed Development Plan will require multi-year allocation to complete, each year of the development schedule shall be approved for a stated number and type of residential units.
6. Tentative Subdivision Maps will not be accepted until the Planning Commission has approved the Development Plan and Development Schedule and allocated the number of units either on a single-year or multi-year basis. The City may require individual tentative maps for each year's phasing of multi-year allocations.

C. Applications for Allocation: Time.

1. The application period for allocation of residential units in the City shall open July 1 and close October 1 of each year.

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2. The City shall make a Determination of Completeness by November 1 of the same year.

3. An Initial Study under the California Environmental Quality Act shall be completed and a preliminary point score evaluation of the project, utilizing the criteria adopted by Council resolution hereunder, shall be done by the City no later than December 1.

4. On or before the following March 1, a Draft Environmental Impact Report (if required) shall be completed.

5. The period for public review/comment on the Draft Environmental Impact Report shall end April 15 and the final Environmental Impact Report completed by May 1.

6. The Planning Commission and City Council shall thereafter, not later than July 1, conduct all necessary public hearings and reviews of the proposed projects, and shall approve or deny such proposals.

7. Based on such hearings/reviews and by reference to the point system evaluation described in this Chapter, the City Council shall, not later than September 30, allocate approvals of residential units. Thereafter, applicant shall submit a tentative map for a project, utilizing the number of allocated units awarded for each year.

Dated: September 4, 1991

=====

I hereby certify that Resolution No. 91-171 was passed and adopted by the Lodi City Council in a regular meeting held September 4, 1991 by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock, Snider
and Hinchman (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Alice M. Reimche
City Clerk

91-171

RES91171/TXTA.02J

-6-



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Provide direction regarding scheduling and type of action the Council may take at informal informational meetings referred to as “Shirtsleeve” City Council meetings.

MEETING DATE: July 19, 2006

PREPARED BY: City Manager

RECOMMENDED ACTION: Provide direction regarding scheduling and type of action the Council may take at informal informational meetings referred to as “Shirtsleeve” City Council meetings.

BACKGROUND INFORMATION: Recently, Councilmembers have asked to discuss the nature and rules governing the Tuesday morning informal, informational City Council meetings referred to as “Shirtsleeve” meetings.

Regularly scheduled informal Council meetings have been held for at least the past 30 years and possibly, much longer. An Ordinance authorizing weekly Tuesday 7:00 a.m. informal informational meetings was adopted on November 19, 1975 (LMC 2.04.020). According to the City Clerk’s office, there is evidence that regularly scheduled informal meetings had been held prior to the adoption of the 1975 Ordinance. These meetings are commonly referred to as “Shirtsleeve” meetings. This name denotes a study session that allows the Council to study in depth specific issues (taking off one’s jacket and rolling up the sleeves) in an informal setting. According to the Code, “no formal action shall be taken by the City Council at such meetings”. Recently, discussion has arisen concerning what action, if any, the Council might take at shirtsleeve meetings.

To assist the Council in defining the issues, a series of questions are presented:

1. As a practical matter, can a legislative body realistically expect to conduct a Regular Meeting on a regular basis, where deliberation does not occur and/or direction is given?
2. Under present circumstances, does the Council collectively, or individually, believe that it does, or does not provide direction?
3. Does the City Manager believe that it has not received direction?
4. Does the public or the press believe that direction has not been provided?
5. If indeed the Council might provide direction, and/or the City Manager believes that direction has been provided, and/or the public believes that direction is being provided, should these regular meetings occur at 7:00 a.m.?

The Ralph M. Brown Act (Government Code Section 54950 and following) is the State law that ensures, with some exceptions, that all meetings of the local legislative body are open to the public. The Brown Act defines a meeting as “any congregation of a majority of the members of the legislative body in the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.”

APPROVED: _____
Blair King, City Manager

According to the California Journalist's Legal Notebook, "a meeting may occur not only when there is no "action" taken, but even when the members' role is confined to hearing about a matter – when they are being briefed about it."

The Brown Act establishes three types of meetings: Regular, Special, and Emergency Meetings. The definition of a Regular Meeting is that it is on a fixed schedule at a fixed location that has formally been adopted by the agency. The Tuesday 7:00 a.m. informal informational meeting is a Regular Meeting under the Brown Act. Generally, the rules for notice are higher for a Regular Meeting than a Special Meeting and a Special Meeting than an Emergency Meeting. Also, the right of the public to address the Council is different for each meeting.

Regular Meetings are required to post an agenda 72 hours in advance of the meeting, provide a brief general description of each item of business to be transacted or discussed, and provide the public the opportunity to directly address the legislative body on any item of interest to the public. With regard to the brief description, the Attorney General's guide says "the purpose of the brief general description is to inform interested members of the public about the subject matter under consideration so that they can determine whether to monitor or participate in the meeting of the body."

The Brown Act makes the case that a Regular Meeting is a Regular Meeting is a Regular Meeting. It is not ambiguous. The Brown Act does not allow a Special Meeting to be substituted for a Regular Meeting to allow the Council to take action it could not have taken at a Regular Meeting. The Brown Act encourages public agencies to provide notice to allow individuals to attend meetings to monitor and participate on subjects important to them.

If Council concurs that as a practical matter it is not realistic to expect that the Council would conduct a Regular Meeting and not ask questions, expect answers, nor deliberate, then the Council is asked to consider whether or not Tuesday morning is the best time for a Shirtsleeve meeting. As an alternative, the Council could conduct Shirtsleeve meetings (limited to one or two agenda items) on the second and fourth Wednesdays of the month, from 5:30 p.m. to 7 p.m., prior to Planning Commission meetings.

Staff has contacted Comcast regarding broadcast of these meetings Wednesday night. Comcast has indicated due to staff limitations, they are unable to broadcast these meetings.

Staff is not recommending that the Council have "full" meetings every Wednesday. The City is not staffed to prepare agendas for a "full" meeting every week and staff is concerned with Shirtsleeve Sessions evolving into more extensive meetings (more than two agenda items). However, the second and the fourth Wednesdays of the month are attractive as alternative "Shirtsleeve dates" as they have a "built-in" adjournment deadline with Planning Commission meetings scheduled at 7:00.

In conclusion, it has been the consistent position of City staff that Council study sessions are important and worthwhile. However, the Council should reconcile the practical matter of whether or not the Council may want to deliberate on matters presented at a regularly scheduled study session and provide direction to the City Manager. Then, the Council should consider the time it might want to hold such regularly scheduled informational meetings in order to maximize public participation. If the City Council wishes to change the current structure of Shirtsleeve sessions, it will need to amend the Municipal Code.

FISCAL IMPACT: Not applicable

Blair King
City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Review and Discussion of Current Regulations Pertaining to Food Vending Vehicles

MEETING DATE: July 19, 2006

PREPARED BY: Community Improvement Manager

RECOMMENDED ACTION: That the City Council review and discuss the information provided by Community Development Department Staff regarding the current regulations pertaining to food vending vehicles.

BACKGROUND INFORMATION: The Community Development Department first reviewed the issue of the nuisance conditions that are created by mobile food vendors and other itinerant vendors throughout the community in 1999. At the time, an Ordinance that would expand Lodi Municipal Code Section 9.18 – Vending on Streets and Sidewalks was proposed that would include regulations pertaining to vending from private property. The genesis of that proposal was from the complaints of the local business community and local residents.

The local business community has had issue with the influx of itinerant vendors into this community for some time. This includes the local florists who are affected by the number of flower and gift basket vendors that can be found on almost every major thoroughfare and intersection before Valentines Day and Mothers Day each year, as well as the local car and recreational vehicle dealerships who are affected by the out-of-town dealers that set up weekend sales events in major shopping center parking lots.

The entire community bears the visual impact that these itinerant vendors create as they set up impromptu booths in parking lots and along available frontages selling sunglasses, rugs, flags, statuettes, paintings and other wares. However, the itinerant vendor that is the most prevalent throughout the community is the mobile food vendor (lunch wagons).

The 1999 proposal, which eventually was tabled by Council, was the culmination of a great deal of work that included a public meeting with the local food vendors to receive their input and comment. At that meeting the message was made clear that it was not the City's intent to prohibit the vending activities, but to provide clear and concise regulations to prevent safety, traffic and health hazards, as well as preserve the peace, safety and welfare of the community.

Now, seven years later, we look to resolve these issues once again. Our goal under the new Community Development Director has been to address these issues in the revision of the current Zoning Ordinance. The new Development Code would provide the clear and concise language necessary to make not only

APPROVED: _____
Blair King, City Manager

the enforcement and abatement easier, but also provide clearer guidance to the vendors as to what the regulations are for their continued operation.

The conditions presented in each of the aforementioned itinerant vending activities can be identified as public nuisance and/or hazardous conditions, and accordingly, we have various tools or methods to address the abatement of those conditions. What follows is a summary of the various issues and remedies available at this point.

Land Use Issues – Private Property

There are several sections of the current Zoning Ordinance that can be applied to the vending issue as it occurs on private property or off the public right-of-way.

In 1997, under Section 17.57 General Regulations and Requirements, a general requirement was created mandating that business, with few exceptions, must be conducted inside an enclosed building.

17.57.170 Enclosed building requirement.

Stores, shops or businesses permitted in any commercial or industrial district shall be conducted wholly within an enclosed building unless the specific use and zone permit otherwise. Vehicle sales lots, service stations, parking lots, small recycling collection facilities and those businesses that typically require outdoor storage or activities will be exempt from this requirement. (Ord. 1648 § 1 (part), 1997)

Absent that general requirement, references to such a requirement were scattered and inconsistent throughout the rest of the ordinance pertaining to each zoning designation, as noted in the following review of allowed uses within each zoning district.

The majority of these vending activities occur in either C-1, C-2, C-S, M-1, M-2 or PD (Planned Development) Districts and regulations pertaining to the food related activities in those districts are as follows:

C-1

- Eating Places are an allowed use, except those involving dancing, entertainment or alcohol.
- There is a general criteria pertaining to allowed uses within this district that mentions that business activities be conducted wholly within an enclosed building.

C-2

- Any type of Eating and Drinking Establishment is allowed.
- There is no criteria regarding conducting business within an enclosed building.

C-S

- Refers back to allowed uses within a C-1 District.

M-1

- Refers back to allowed uses within C-M District, which refers back to allowed uses within C-2 District.
- The requirements of the C-M District does include specific language regarding conduct within a building.

17.42.030 Enclosure of uses-Off-premises effects.

Every use in a C-M zone shall be subject to the following conditions:

A. All uses shall be conducted within a completely-enclosed building or within an area enclosed on all sides with a solid wall, screened fence or uniformly painted fence not less than six feet in height, except that uses permitted in the open in the C-2 zone shall be permitted in the open in the C-M zone.

M-2

- Refers back to allowed uses within M-1 District.

P-D

- The PD District where a food vendor happens to be operating, PD(17) which is located at Turner Rd. and Church St., requires that any and all uses, except SFD, must first obtain a Use Permit from the Planning Commission. (LMC 17.33.040)
- The parcel within PD(17) where the vendor is operating is classified for light industrial uses and must conform with the requirements of the C-M District.

Additional Zoning/Land Use Issues

In addition to the regulations pertaining to allowed uses, there are also other Zoning Ordinance regulations that are impacted and/or can be brought into play in order to address the food vending issues.

As each commercial property is developed, there are specific off-street parking requirements based upon the specific use and/or size of the building. In many of the locations where food vending vehicles are setting up, the required parking spaces are being taken up by the food vending vehicles, as well as the tables, tents or awnings that they deploy. As noted in the code section referenced below, this is not allowed.

17.60.040 Use for other purposes.

No portions of a required parking facility may be built upon with new structures or additions, or utilized for other purposes, unless a substitute parking facility is provided that meets the requirements of this chapter. (Prior code § 27-13(b)(4) (part))

In several other locations where these food vendors have established a permanent operation, the properties themselves are either unpaved and/or undeveloped, lacking the appropriate controls for ingress and egress which creates a traffic hazard, and/or controls for storm water contamination to prevent dust and dirt from being tracked onto the adjacent streets and sidewalks. The following language with Section 17.78 Certificates of Occupancy provides some method of addressing this:

17.78.010 Required.

No vacant land shall be used or occupied, except for agricultural purposes, and no building erected, structurally altered or moved after the effective date of the ordinance from which this section derives shall be occupied or used until a certificate of occupancy has been issued by the building inspector. (Prior code § 27-17 (part))

17.78.020 Land.

A certificate of occupancy for the use of vacant land or for a change in the character of the use of land, as provided in this chapter, except for agricultural purposes, shall be applied for before such land shall be occupied or used. The certificate shall be issued within three days after the application has been made, provided such use is in conformity with the provisions of this title. (Prior code § 27-17(a))

The Certificate of Occupancy process has been used for temporary uses, such as Christmas tree lots, car tent sales, and other seasonal events or activities. The process is very outdated and inadequate, as it requires that the Building Official issue “The certificate...within three days after the application has been made...”,

and it does not take into consideration the scope of what is required for an adequate review of such a development by all affected departments, nor does it allow for the recovery of costs related to the review and issuance of the Certificate.

Finally, at several of the locations where food vendors routinely operate, there are some conflicting or incompatible uses that need to be addressed. Several of these sites may be on commercially zoned properties, which are currently occupied by legal/non-conforming residential dwellings. This creates a mix of residential and commercial uses upon the property that in the past has been discouraged unless planned and developed as such, rather than occurring by happenstance.

Health and Safety Issues

There are definite health and safety issues present at most of the mobile food vending locations and several of the other itinerant vendor sites. What follows is a review of those issues and the related codes and regulations:

State Health Codes

From our previous work on these issues with the local Environmental Health Department (EHD), who has jurisdiction for the licensing and inspection of mobile food vendors, we have become more aware of certain conditions or situations that are likely to occur that represent a serious health and safety hazard. While they are under the jurisdiction of EHD, it is more likely that these health and safety conditions are going to be noted by City code enforcement or police personnel at a time and location that EHD would not be able to respond, usually after hours.

- Mobile Food Vendors are required, when operating from a fixed location, to have adequate restroom facilities for their employees. Those restroom facilities must be within 200 feet from their vehicle and be open and available the entire time that they operate.
 - Several of the food vendors operate in locations adjacent to existing businesses and satisfy this requirement by using the facilities at that site. There are several of these same locations where the food vendors remain on-site and operating after that business has closed and the restroom facilities are not readily available. When that occurs, EHD offices are usually closed and their health inspectors are not available for enforcement assistance.
 - Other food vendors operate during the day and/or night from locations where there are no restroom facilities available. There has been at least one documented incident of a LPD Bike Officer catching and citing a man for urinating in public against the side of a building near one of the food vending vehicles, only to find that it was the food vendor.
- Mobile Food Vendors are required to operate from a licensed commissary within San Joaquin County. All prepared food coming from the vehicle must be prepared and transferred to the food vending vehicle at that commissary. The food vending vehicle also must be returned to that commissary to be cleaned, sanitized and restocked.
 - There are several incidents where food vendors are or have been operating from unlicensed commercial locations or their residences. While this represents a zoning or land use violation, the issue of it being a health code violation is the most pressing matter.
- Mobile Food Vending vehicles are required to be self-contained for water, power and waste. At many of these locations, vendors have tapped into power and water. Just how and where these vending vehicles are getting their water is a serious health and safety concern as there are stringent requirements for the type of hose and appropriate connections. The issue of self-containment of waste is also a concern and has been an issue as we've received complaints from time to time of the vehicles purposely draining into storm drains or slowly leaking where they operate or as they transit to and from the property.

Hazardous Electrical

As stated in the previous section, several of the food vending vehicles routinely tap into power through extension cords from buildings or light standards in the parking area. This poses an electrical hazard as the electrical cords are usually run across walking or driving surfaces or the point of connection is illegally and improperly installed. There is language within the adopted Electrical Code that allows us to address these issues.

Hazardous Plumbing/Sanitation

Also stated previously, was the fact that many of the mobile food vendors tap into any available water source at a site. While the locations or existing businesses that they operate adjacent to may have been to code at the time that they were constructed or put into use, the addition of another use on the site requires compliance with current code requirements for the facilities connected to that new use, namely the water connection. While State Health Code mandates certain requirements for hoses and connections, there is clear language within the Plumbing Code that addresses fittings to prevent backflow or cross-connection contamination.

The issue of illegal dumping of waste, especially where it can come into contact with the storm drainage system, is another serious concern that is addressed by our local Municipal Code and State Law.

Related Issues

Business Licensing

One of the other issues related to any type of vending, is whether the vendor has the appropriate business license in order to operate within Lodi. The following LMC Section provides clear and concise language for us to enforce.

3.01.020 Business tax certification required.

Business taxes are imposed upon all businesses, professions, trades, vocations, enterprises, establishments, occupations or callings conducting business in the city to which a business tax may lawfully apply, in an amount established by resolution of the city council. It is unlawful for any person to transact and carry on any business, trade, vocation, enterprise, establishment, occupation or calling in the city not otherwise exempt without first having procured a business tax certificate from the city or complying with all of the applicable provisions of this chapter.

Sales Tax

An issue pertaining to vendors of merchandise and goods is whether the appropriate sales tax is being collected and whether that sales tax is being reported for the proper place of sale. We would have to rely upon some guidance from our Finance Department or Deputy City Manager regarding how to best gather and track this information.

Vending From Streets and Sidewalks

As stated previously, LMC Section 9.18 currently establishes certain guidelines for the following issues pertaining to vending from the public right-of-way:

- Remaining in one location for more than ten minutes.
- Creating a traffic hazard.

- School and intersection proximity.

Summary and Recommendations

In order to proceed, we need to first clarify the City's intent, either to provide clear regulation of these vending activities or to prohibit the activities entirely. It has been City direction to allow but regulate these vending activities, therefore we must then consider the following options.

Apply Existing Code Language

Regarding enforcement of land use regulations that pertain to food vending vehicles and other itinerant vendors, the proposed Development Code provides clearer language for enforcement than that provided in our current Zoning Ordinance. Prior to adoption of the new Development Code, we can proceed with the land use code language outlined previously.

The current code language addressing the hazardous electrical and plumbing conditions is sufficient to proceed with, and the new Administrative Enforcement Provisions adopted by Council provides us with a clear mechanism in which to process violations that are found.

Revise Current Code Language

There are two choices available under this option. In one option, the review and adoption of the Development Code is in process and is expected to be completed within the next six months. This would provide clear code language approaching this as strictly a land use issue.

In the second option, we could revisit the code amendments to Section 9.18 that were proposed in 1999 and have it back before Council for adoption. This would provide a more comprehensive approach to addressing the issues regarding vendors, whether that be food vendors or other itinerant vendors. The subsequent revision of the Development Code would then augment these new regulations, providing clearer guidance for the development of properties to accommodate vending activities.

Regardless of which option that is decided upon, the cooperation and assistance of the County Environmental Health Department (EHD) is crucial to the success of any effort pertaining to the food vendors. Any enforcement activities undertaken by City code enforcement personnel will be coordinated with the EHD so that they can follow up accordingly.

One other factor that must be considered is that a proactive enforcement project of this scope will require a substantial amount of our code enforcement resources. The Community Improvement Division has been down one inspector for the past three months and this has reduced their capabilities significantly, thereby creating a backlog of complaints. The projected return of that one inspector in July and the hopeful approval of budgeted funding for contract code enforcement services is crucial in our ability to address the current backlog and to embark on a proactive enforcement project of this nature.

FISCAL IMPACT:

As with any code enforcement action, the initial enforcement activities would be funded through the General Fund. All follow up enforcement and abatement action would be funded through the cost recovery measures that have been established.

In accordance with the Operational Priorities that were adopted by Council in the Policy Statement for the Code Enforcement Program, committing code enforcement personnel for this enforcement project will divert them from responding to other lower priority complaints.

FUNDING AVAILABLE: This activity would be funded through the General Fund and the Special Revenue Fund established for the Community Development Department.

Ruby Paiste, Interim Finance Director

Joseph Wood
Community Improvement Manager

Concurred:

Randy Hatch
Community Development Director

SJB/jmp

Attachments

cc:



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Introduce Ordinance Amending Lodi Municipal Code, Title 5 “Permits and Regulations”, Chapter 5.40 “Adult-Oriented Businesses”, by Repealing and Reenacting Section 5.40.020 “Location of Adult-Oriented Businesses” to add “Residentially-Zoned Property” to the list of land uses subject to distance regulations regarding the location of adult-oriented businesses; and Repealing and Reenacting Section 5.40.400(D)(1) to delete the requirement that employees of adult-oriented business be fingerprinted as part of the employee license process.

MEETING DATE: July 19, 2006

PREPARED BY: Janice D. Magdich, Deputy City Attorney

RECOMMENDED ACTION: Introduce Ordinance Amending Lodi Municipal Code, Title 5 “Permits and Regulations”, Chapter 5.40 “Adult-Oriented Businesses”, by Repealing and Reenacting Section 5.40.020 “Location of Adult-Oriented Businesses” to add “Residentially-Zoned Property” to the list of land uses subject to distance regulations regarding the location of adult-oriented businesses; and Repealing and Reenacting Section 5.40.400(D)(1) to delete the requirement that employees of adult-oriented business be fingerprinted as part of the employee license process.

BACKGROUND INFORMATION:

Section 5.40.020 – Location of Adult-Oriented Businesses.

In 1992 the City of Lodi established its first regulations regarding adult business. That act by the City Council set forth where adult businesses may be located within the community. Currently no person is to establish, conduct or permit to be established or conducted any adult-oriented business within one thousand feet of any church, school, playground, child-care center or existing adult-oriented business.

The addition of “residentially zoned property” to the list of land uses subject to distance regulations regarding the location of adult businesses furthers the intent of Lodi Municipal Code Section 5.40.020, as the City has a substantial interest in preserving the quality of urban life within the City and distance regulations regarding where adult businesses are located are designed to serve this interest by decreasing blight and crime. The inclusion of “residentially-zoned properties” is a reasonable and related extension of the types of land uses currently subject to distance regulations by the City. As the United States Supreme Court has upheld distance regulations which prohibit adult businesses from locating within 1,000 feet of any residentially zoned property, it is the opinion of the City Attorney’s office that the proposed revision to Section 5.40.020 is a constitutionally permitted regulation of adult-oriented businesses.

Staff therefore recommends the addition of “residentially-zoned property” to the list of land uses subject to distance regulations regarding the location of adult-oriented businesses.

Section 5.40.400(D)(1) – Adult-Oriented Business Employee License Required:

In November 2003 the City Attorney's office brought an ordinance before the Council to amend Lodi Municipal Code Title 5 "Permits and Regulations", Chapter 5.40 "Adult-Oriented Businesses". In part, the amendment was to eliminate the requirement that applicants for licensure under Chapter 5.40 provide fingerprints. Due to an oversight, the Ordinance adopted by Council retained the requirement that employees of adult-oriented businesses be fingerprinted as part of the City's licensure process (section 5.40.400(D)(1)). To correct this oversight, staff recommends the adoption of the proposed ordinance.

FUNDING: None

Janice D. Magdich
Deputy City Attorney

Attachment – Proposed Ordinance

cc: Randy Hatch, Community Development Director
Jerry Adams, Police Chief

City/CounCom/Ordinances/AdultBusinesses5.doc

APPROVED: _____
Blair King, City Manager

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AMENDING LODI MUNICIPAL CODE TITLE 5 – PERMITS AND REGULATIONS – CHAPTER 5.40, “ADULT-ORIENTED BUSINESSES,” BY REPEALING AND REENACTING SECTION 5.40.020, “LOCATION OF ADULT-ORIENTED BUSINESSES,” TO ADD “RESIDENTIALLY-ZONED PROPERTY” TO THE LIST OF LAND USES SUBJECT TO DISTANCE REGULATIONS REGARDING THE LOCATION OF ADULT-ORIENTED BUSINESSES; AND REPEALING AND REENACTING SECTION 5.40.400(D)(1) TO DELETE THE REQUIREMENT THAT EMPLOYEES OF ADULT-ORIENTED BUSINESSES BE FINGERPRINTED AS PART OF THE EMPLOYEE LICENSE PROCESS

=====

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Lodi Municipal Code Title 5 – Permits and Regulations – Chapter 5.40, “Adult-Oriented Businesses,” Section 5.40.020, is hereby repealed and reenacted to read as follows:

5.40.020 - Location of Adult-Oriented Businesses.

From and after adoption of this chapter, no person shall establish, conduct, or permit to be established or conducted any adult-oriented business within one thousand feet of any church, school, playground, child care center, residentially zoned property, or adult-oriented business.

For the purposes of this section, the distance between uses shall be measured in a straight line without regard to intervening structures from the closest exterior wall of each business or use.

Adult-oriented businesses in existence on the effective date of this chapter are deemed nonconforming uses, which may continue subject to the provisions of Section 17.69.030.

SECTION 2. Lodi Municipal Code Title 5 – Permits And Regulations – Chapter 5.40, “Adult-Oriented Businesses,” Section 5.40.400(D)(1), is hereby repealed and reenacted to read as follows:

5.40.400(D)(1) – A color photograph of the applicant clearly showing the applicant’s face. Any fees for the photograph shall be paid by the applicant.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 4. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 6. This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2006

SUSAN HITCHCOCK
Mayor

Attest:

JENNIFER M. PERRIN
Interim City Clerk

=====

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, Interim City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held July 19, 2006, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
Interim City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney

By _____
Janice D. Magdich
Deputy City Attorney



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Introduce Ordinance Amending Lodi Municipal Code Title 17, "Zoning", Chapter 17.39, "C-2 General Commercial District", and Chapter 17.42 "C-M Commercial-Light Industrial District", to add Cardrooms as a permitted use, with a use permit, in both the C-2 and C-M zoning districts.

MEETING DATE: July 19, 2006 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: Introduce the ordinance as presented.

BACKGROUND INFORMATION: Section 5.12.140(E) of Chapter 5 of the Lodi Municipal Code "Cardrooms", states in pertinent part: "No gambling establishment may be located in any zone which has not been specifically approved for such a business. Additionally none may be located near any of the unsuitable areas, as specified in Business and Professions Code section 19852(a)(3) [renumbered as 19852 and amended by statute in 2002]."

A review of Title 17 (Zoning) of the Code, indicates that no zoning districts within the City specifically allow for cardrooms. At the request of the Community Development Director, the City Attorney's office drafted the proposed ordinance to allow for cardrooms, subject to securing a use permit, within the C-2 (general commercial) and C-M (commercial-light industrial) zoning districts. It is the consensus of the Community Development Director and the City Attorney's office that cardrooms would be a compatible use within the C-2 and C-M zoning districts.

FUNDING: None.

FISCAL IMPACT: None.

Approved: _____
Janice D. Magdich
Deputy City Attorney

Attachment: Proposed Ordinance

cc: Randy Hatch, Community Development Director

City/CounCom/Ordinances/CardroomZoning.doc

APPROVED: _____
Blair King, City Manager

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING LODI MUNICIPAL CODE TITLE 17 – ZONING –
CHAPTER 17.39, “C-2 GENERAL COMMERCIAL DISTRICT,”
AND CHAPTER 17.42 “C-M COMMERCIAL-LIGHT INDUSTRIAL
DISTRICT,” TO ADD CARDROOMS AS A PERMITTED USE WITH
A USE PERMIT IN BOTH THE C-2 AND THE C-M DISTRICTS

=====

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Lodi Municipal Code Title 17 – Zoning – Chapter 17.39, “C-2 General Commercial District,” is amended to add Section 17.39.025 as follows:

17.39.025 – Permitted Uses – Use Permit.

The following uses are permitted in the C-2 district subject to securing a use permit:

- A. Cardroom, as defined by Section 5.12.010(A) of this Code.

SECTION 2. Lodi Municipal Code Title – Zoning – Chapter 17.42, “C-M Commercial-Light Industrial District,” is amended to add Section 17.42.025 as follows:

17.39.025 - Permitted Uses – Use Permit.

The following uses are permitted in the C-M district subject to securing a use permit:

- A. Cardroom, as defined by Section 5.12.010(A) of this Code.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 4. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 6. This ordinance shall be published one time in the “Lodi News-Sentinel,” a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2006

SUSAN HITCHCOCK
Mayor

Attest:

JENNIFER M. PERRIN
Interim City Clerk
=====

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, Interim City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held July 19, 2006, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
Interim City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney

By _____
Janice D. Magdich
Deputy City Attorney



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution approving line of credit with Farmers and Merchants Bank (\$3,000,000) for the Lodi Electric Utility

MEETING DATE: July 19, 2006

PREPARED BY: Deputy City Manager

RECOMMENDED ACTION: City Council adopt Resolution approving the line of credit with Farmers and Merchants Bank for \$3,000,000.

BACKGROUND INFORMATION: The Lodi Electric Utility has the need to secure a short-term line of credit in order to provide cash reserves in the event that current cash reserves are insufficient to meet operating needs. It is not anticipated that the line of credit will be needed. However, as stated by Fitch Ratings, procuring the line of credit is necessary in order to prevent possible further negative ratings action by Fitch Ratings.

Farmers and Merchants Bank provides the City of Lodi with all of its banking services and has approved the line of credit to be used for Electric Utility operations and other emergency needs should they arise. The line of credit is secured with the 9.1 acre property located on Guild Street, which was previously planned to be used as the Electric Utility Department offices. This and all other potential surplus properties will be reviewed with Council at an upcoming meeting.

FISCAL IMPACT: It is anticipated that the costs (including attorney costs and costs to be paid for establishing the line of credit with the Farmers and Merchants Bank) will be the only costs of the line of credit. It is not anticipated that the line of credit will be utilized, but if it is, there will be a short term interest cost associated with the amount and for the time the line of credit is utilized.

FUNDING AVAILABLE: The costs for the line of credit have not been determined at this time but will be provided to the City Council at the time of the meeting.

James R. Krueger
Deputy City Manager

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING AND APPROVING THE EXECUTION AND
DELIVERY OF A LOAN AGREEMENT TO FARMERS &
MERCHANTS BANK OF CENTRAL CALIFORNIA AND THE
BORROWING OF FUNDS THEREUNDER

=====

WHEREAS, Farmers & Merchants Bank of Central California (the "Bank") has offered to provide a revolving line of credit to the City of Lodi (the "City") in the amount of three million dollars (\$3,000,000) to be available through June 30, 2007 pursuant to a loan agreement between the City and the Bank (the "Loan Agreement") which is attached hereto and incorporated herein by reference; and

WHEREAS, Government Code Sections 53850 et seq. authorize the City to borrow money by the issuance of temporary notes under the Loan Agreement; and

WHEREAS, in order to make best use of the credit facility provided by the Bank, it is desirable to delegate to the Director of Finance the authority to make borrowings under the line of credit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi as follows:

1. Recitals. The City Council hereby finds and determines that the foregoing recitals are true and correct.

2. Approval of Loan Agreement. The proposed form of the Loan Agreement between the Bank and the City, including the form of promissory notes to be delivered by the City thereunder, as presented to this meeting, is hereby approved in substantially final form. The Mayor and the Director of Finance of the City are hereby authorized, for and on behalf of the City Council, to execute and deliver to the Bank the Loan Agreement in substantially said form, with such changes therein as such officer, with the advice of the City Attorney, may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

3. Delegation of Authority to Make Borrowings Under Loan Agreement. The City Council hereby authorizes the Director of Finance of the City, for and on behalf of the City Council, to execute and deliver to the Bank promissory notes representing borrowings under the Loan Agreement; provided that such additional borrowings are made in conformance with the terms, conditions, and limitations of the Loan Agreement and the temporary borrowing provisions of Government Code Sections 53850 et seq., all as determined by the Director of Finance. Such promissory notes shall be issued in substantially the form attached to the Loan Agreement as Exhibit B, with interest thereon, determined in accordance with the provisions of the Loan Agreement, with such changes therein as such officer, with the advice of the City Attorney, may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

4. Authorization to Execute Documents. City officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they may deem necessary or advisable in order to proceed with the borrowings authorized hereby and otherwise carry out, give effect to, and comply with the terms and intent of this Resolution. Such actions already taken by such officials and staff are hereby ratified, confirmed and approved.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Separate Resolutions Approving Water Supply Assessment Reports for Reynolds Ranch Project and Westside-Southwest Gateway Project

MEETING DATE: July 19, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt separate resolutions approving Water Supply Assessment reports for the Reynolds Ranch project and Westside-Southwest Gateway project.

BACKGROUND INFORMATION: The Water Supply Assessments for the Reynolds Ranch (Exhibit A) and Westside-Southwest Gateway (Exhibit B) projects were prepared by Public Works Department staff and Willdan Consultants, in accordance with Senate Bill (SB) 610 and Water Code Section 10912. The assessments are in the format designated in State guidelines and document that sufficient water supply is available to serve the projects. (See summary table, next page.) No entitlements are conferred upon these projects by the requested action. Approval of the assessment for each project by the water supplier is a prerequisite to Certification of the Final Environmental Impact Reports.

The Reynolds Ranch project site is located south of Harney Lane, west of State Highway 99, and east of the Union Pacific Railroad, as represented in Exhibit C. The Reynolds Ranch project is 220 acres in size, and the land uses include 20 acres of offices, 40 acres of retail commercial sites, 1,084 residential units (mix of low, medium, and high density), parks, elementary school and other uses. The annual water supply required to serve the demands of the project at completion is approximately 501 acre-feet per year.

The Westside-Southwest Gateway project site is located westerly of Lower Sacramento Road extending to the General Plan boundary, as represented in Exhibit D. The project is approximately 410 acres in size, and the land uses include 2,090 residential units, elementary school, parks and other uses. The annual water supply required to serve the demands of the project is approximately 887 acre-feet per year.

The data presented in the assessments confirm that water supplies are sufficient during normal, single-dry and multiple-dry years over a 20-year planning horizon to serve the demands of existing development, planned future development within the General Plan, and these proposed projects. A summary of this data is presented below.

However, additional future development beyond the current General Plan is expected, and as presented in the 2005 Urban Water Management Plan, demands are expected to exceed supplies by around 2025. The City will need to secure additional water supplies to serve development beyond 2025. Potential future water sources include WID, MORE project (Mokelumne River), recharge using captured storm water runoff, and banked groundwater. A complete master water supply plan will be contained in the new General Plan.

APPROVED: _____
Blair King, City Manager

Adopt Separate Resolutions Approving Water Supply Assessment Reports for Reynolds Ranch Project and Westside-Southwest Gateway Project

July 19, 2006

Page 2

Summary of Water Supply and Demands

Water Supply	Acre Feet per Year
Groundwater ^a	15,000
Supplemental Safe Yield (Reynolds Ranch) ^b	374
Supplemental Safe Yield (Westside-Southwest Gateway) ^b	695
Woodbridge Irrigation District ^c	6,000
Reduction in Demand through Conservation and Metering ^d	<u>2,500</u>
Total Supply	24,569
Water Demand	
Existing City	17,011
Reynolds Ranch	501
Westside-Southwest Gateway	887
Vacant Land ^e	<u>1,378</u>
Total Supply	19,777
Surplus Supply	4,792

^a Safe yield of the groundwater resource underlying the existing City.

^b Increase in safe yield of the groundwater resource underlying the project area, calculated as the product of 1.7 acre-feet per year per acre times the acreage of the project.

^c Although an implementation plan for the use of the WID surface water has not been decided upon, credit for the supply is permitted by the WSA Guidelines.

^d Projected reduction of 15% of existing water demand through meter installation and other conservation measures. This does not apply to new construction because the effects of metered water and conservation measures are accounted for in the calculation of water demands.

^e Remaining vacant land based on current General Plan.

The following actions by the City Council are recommended:

Action A: Adopt resolution approving the Water Supply Assessment for Reynolds Ranch project.

Action B: Adopt resolution approving the Water Supply Assessment for Westside-Southwest Gateway project.

FISCAL IMPACT: None.

FUNDING AVAILABLE: Not applicable.

Richard C. Prima, Jr.
Public Works Director

Prepared by Wally Sandelin, City Engineer, and Paula J. Fernandez, Senior Traffic Engineer
RCP/FWS/PJF/pmf
Attachments

cc: City Attorney
Planning Manager
Charity Wagner, LSA

Community Development Director
Jeff Atteberry, Willdan Consultants

CITY OF LODI

REYNOLD'S RANCH PROJECT



WATER SUPPLY ASSESSMENT

July 2006

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INTRODUCTION

This Reynolds Ranch Project (Project) Water Supply Assessment (WSA) is prepared in compliance with Senate Bill 610, effective January 1, 2002. Much of the data for this WSA has been taken from the adopted 2005 UWMP and is shown herein in italics to ensure the references. The Project meets the criteria as defined in California Water Code 10912 to be classified as a "Project" as follows:

1. It proposes the development of 1084 dwelling units.
2. It proposes a mixed use project as follows:
 - a. Development of more than 500 dwelling units.
 - b. Development of a shopping center/business center that may have more than 250,000 square feet of floor space.
 - c. Development of a project that would demand an amount of water greater than the amount of water required by a 500 dwelling unit project.

A Notice of Preparation (NOP) as defined in CEQA has not been filed with the lead agency, County of San Joaquin, at this time. A conceptual land use plan is shown on Figure 1.

The proposed Reynolds Ranch Project consists of 220 acres of existing agricultural use land to be developed into residential, retail/commercial, office and public facility uses as shown in Table 1.

TABLE 1 REYNOLD'S RANCH PLANNED LAND USES

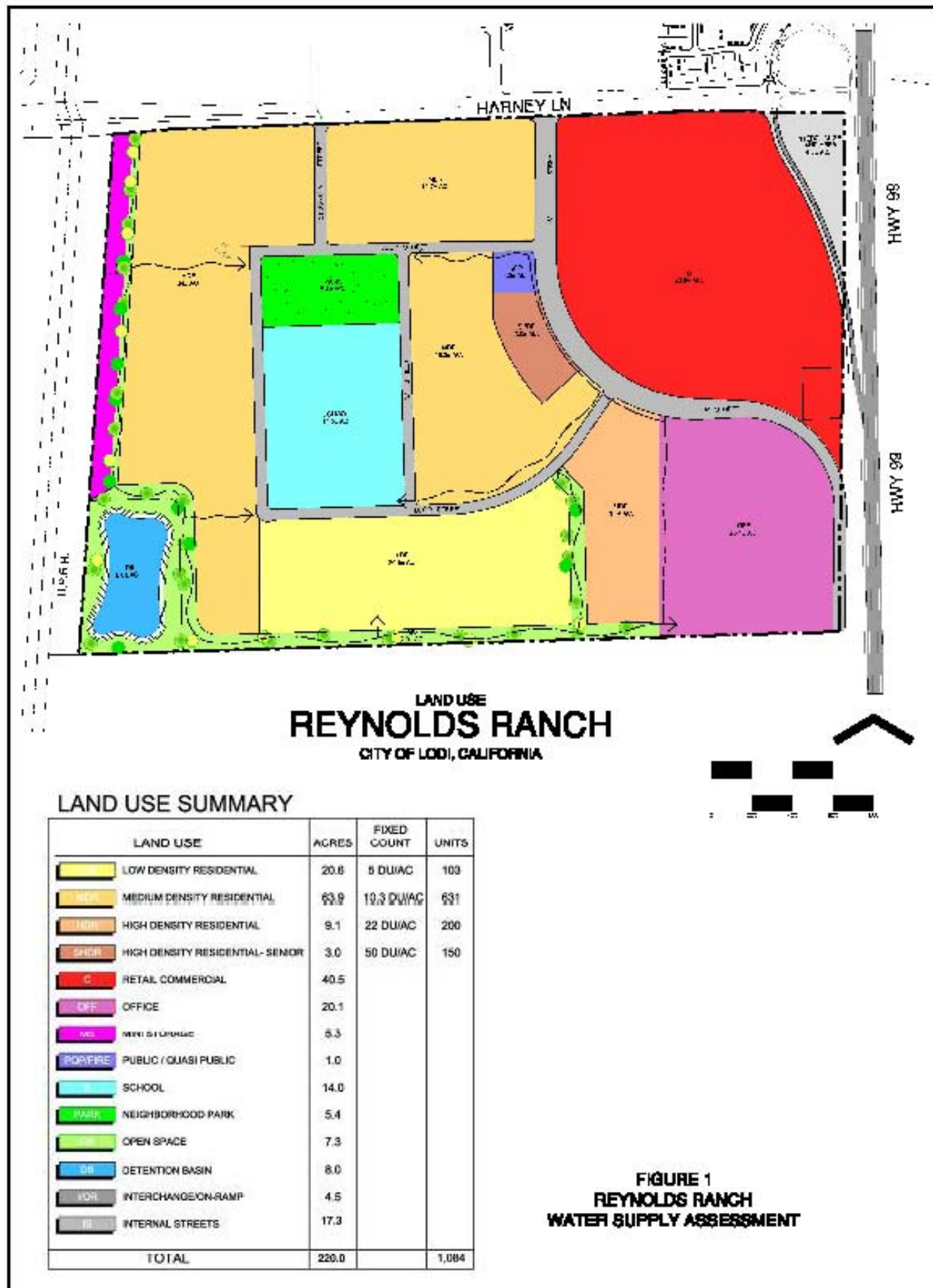
LAND USE	GROSS ACREAGE	DWELLING UNIT
Residential	96.6	1,084
Retail/Commercial	45.8	0
Office	20.1	0
Public Facilities	15.0	0
Parks/Open Space/Basin	20.7	0
Road Row/Interchange	21.8	0
TOTAL	220.0	1,084

The intended land uses satisfy the criteria of Project and the need for a WSA. This WSA format follows the format in the "Draft Guidebook for Implementation of SB 610 & SB 221 of 2001" prepared by the California DWR.

The Guidebook for Implementation of SB-610 and SB-221 outlined the following Sections/Steps to be addressed in Water Supply Assessments:

- | | |
|-----------|-------------------------------------------------------------------------------------|
| Section 1 | Does SB-610 or SB-221 apply? |
| Section 2 | Who will prepare the SB- 610 assessment? |
| Section 3 | Has an assessment already been prepared that includes this project? |
| Section 4 | Is there a current Urban Water Management Plan? |
| Section 5 | What information should be included in an assessment? |
| | Step One: Documenting wholesale water supplies. |
| | Step Two: Documenting supply |
| | If groundwater is a source |
| | If assessment relies on sources never before used |
| | Step Three: Documenting project demand |
| | Detailing existing and planned future uses |
| | Step Four: Documenting dry year(s) supply for water suppliers with multiple sources |
| | Step Five: Documenting dry-year(s) demand |
| Section 6 | Is the projected water supply sufficient or insufficient for the proposed project? |
| Section 7 | NOT INCLUDED BECAUSE SUPPLY CONSIDERED SUFFICIENT |
| Section 8 | Final action by lead agency. Conclusions included |

Note—In this report, SB-221 does not apply since a subdivision map has not been submitted.



SB 610 – SECTIONS 1 THROUGH 4: SUPPLY ASSESSMENT PROCESS

(Sections 1 through 4 determine preparation of a WSA)

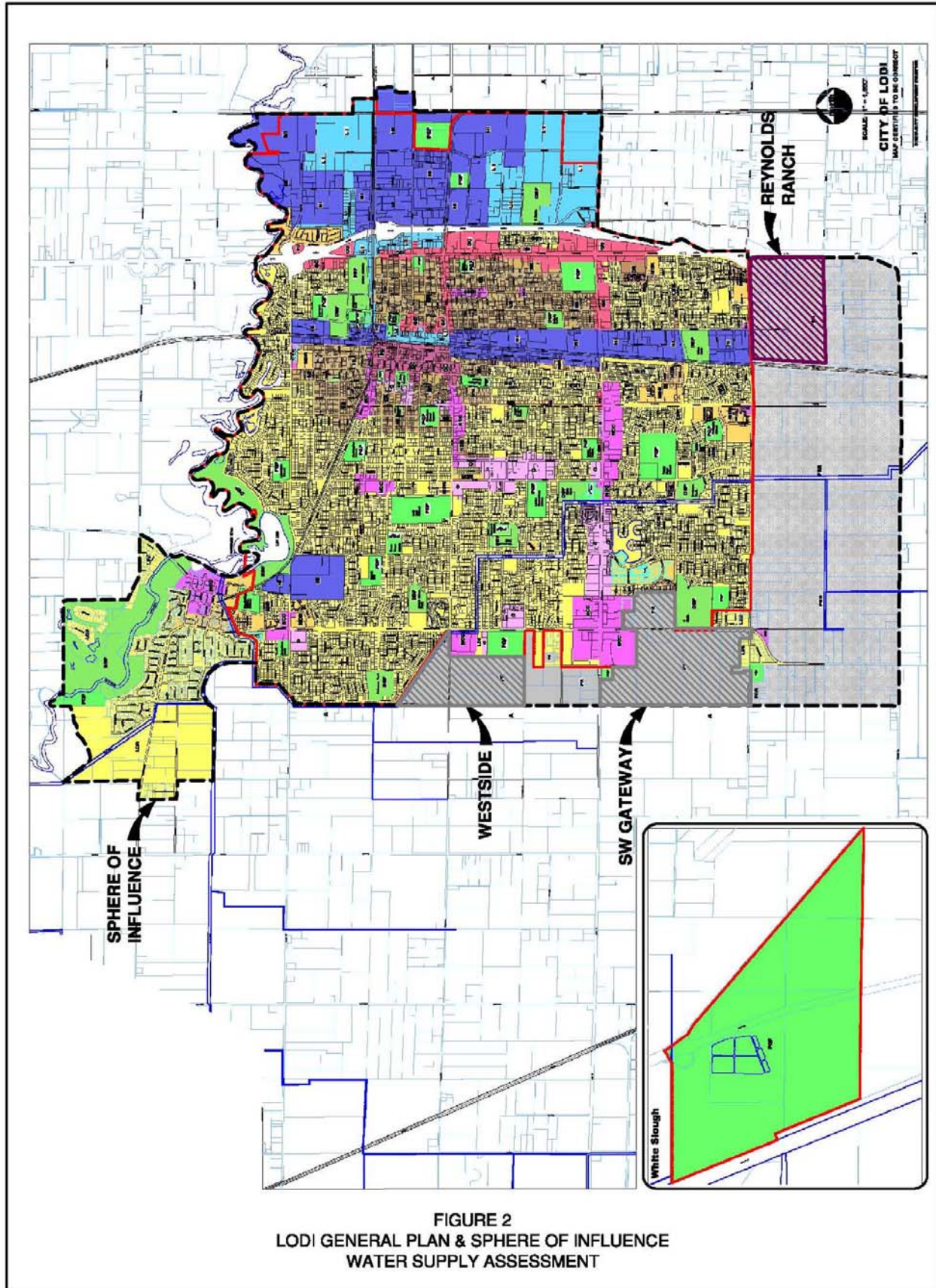
- The Project is subject to SB-610 because it proposes the development of 1084 dwelling units
- The Project is not subject to SB-221 because a subdivision map has not been submitted to the City
- The City of Lodi is the “water supplier” for the Project
- The Project has not been the subject of a WSA
- The City of Lodi adopted an Urban Water Management Plan (UWMP) in 1990 and updated the Plan in 1995 and in 2005

The Project is in the initial planning stages and no subdivision maps have been prepared for the property. Therefore, the Project is not subject to SB-221.

The City of Lodi provides water service to the existing developed area. The Project is not within the city limits but both developments are contiguous to the city limit on the west side so that the distance for any extension of service would be short. Although currently outside the city limits, the project area is within the City’s sphere of influence, has been considered in the City’s planning and is included within the recently adopted Urban Water Management Plan. In Figure 2, the City General Plan and Sphere of Influence boundaries are shown along with the boundary of the Westside/SW Gateway and Reynold’s Ranch projects.

This WSA addresses the California Water Code requirements pertaining to the preparation of WSAs and is strictly an assessment of the City’s ability to provide water service to the Project. This WSA does not constitute an agreement to serve water to the Lodi-Westside or the Lodi-Southwest Gateway projects.

As noted above, the City adopted an Urban Water Management Plan in 1990 and updated the plan in 1995 and in 2005. Much of the information included herein was presented in the 2005 UWMP and is referenced or excerpted throughout this report.



SECTION 5: SUPPLY AND DEMAND DOCUMENTATION

A. WATER SUPPLIES

The City adopted a Master Water Plan in 1987 for a 20-year period. The Plan indicated that the water supply was from groundwater provided at that time by 21 out of 24 wells. At that time, Well 12 was out of service due to potential contamination from gasoline but the problem was not expected to require replacement of the well. Also Wells 3 and 11 were out of service due to potential contamination by diobromochloropropane (DBCP), a commonly used fumigant and nematocide that had been identified as a potential contaminant in some of the water system wells at the time. The Plan stated that six wells were equipped with standby power and five wells had permanent chlorination equipment.

The 1987 Master Water Plan indicated that the City considered non-treatment and treatment methods to resolve the DBCP condition. Non-treatment alternatives considered were well replacement, well rehabilitation and blending with good quality groundwater. Treatment alternatives of air stripping, granular activated carbon absorption, ultraviolet irradiation with ozonation and ultraviolet irradiation with hydrogen peroxide were considered.

Currently the City still relies upon groundwater as its sole source of supply, however, in 2003 a contract for a surface water supply was executed with the Woodbridge Irrigation District that will be implemented in the near future. As indicated in the 2005 UWMP, the City water utility operates 26 wells. All wells are equipped to provide emergency chlorination and seven wells are equipped with granular activated carbon for removal of DBCP. Standby power has also been installed in seven wells and is readily available in the event of a power outage.

Table 2 identifies the type of the City's water source and whether it is by water right or by service contract and if the source of supply has been used.

TABLE 2 ANNUAL POTABLE WATER SUPPLY SOURCES

SUPPLY	QUANTITY (AFY)	WATER SUPPLY TYPE	EVER USED
Groundwater*	Well Capacity**	Appropriative Right*	Yes
WID Surface Water***	6,000	Contract	No

* The City currently uses groundwater as its sole source of supply. The City overlies a portion of the San Joaquin Valley groundwater basin, which is not currently adjudicated. As a municipal pumper, Lodi's water right is considered an appropriative right.

** The City/Utility operates 26 groundwater production wells. The 26 wells that currently provide water to the City have a combined capacity of 35,210 gallons per minute (GPM) or 50.7 million gallons per day (MGD).

*** The City recently entered into an agreement with Woodbridge Irrigation District (WID) to purchase 6,000 acre-feet per year (AFY) of surface water for a period of 40 years. (Source: 2005 UWMP)

As noted in the UWMP, the City has no additional water projects currently under development and has little or no opportunity for traditional transfers or exchanges. However, a recent contract with Woodbridge Irrigation District to divert 6,000 AFY of surface water supplies to the City is in place and the City is considering how this resource would be most effectively utilized. Development plans and project construction will proceed once the City Council has selected a resource utilization strategy. In addition, the City is actively seeking additional water supplies and has several potential programs under consideration.

B. STEP 1. DOCUMENTATION OF WHOLESALE WATER SUPPLIES

As noted above, the City currently uses groundwater supplies solely for its potable water; however, on May 13, 2003 the City executed an agreement with the Woodbridge Irrigation District to purchase 6000 AFY of surface water for a period of 40 years. The Agreement provides for an extension of the agreement for forty years and for banking water not used for three years up to 18,000 AF. The City plans to start using this water supply in 2010.

C. STEP 2. DOCUMENTATION OF GROUNDWATER SUPPLIES

The City currently uses groundwater as its sole source of supply. The city delivered an average of 15.19 MGD in 2004. The average day demand from 1995 to 2004 was 14.94 MGD and the maximum day demand was 28.62 MGD, which provides a ratio of 1.91 as a peaking factor that can be used to scale annual demand projections to maximum day demands. To meet these demands, there are currently 26 production wells in operation, which have a capacity of 35,210 gallons per minute or 50.7 million gallons per day (MGD).

At first glance, the City would appear to have an excessively large number of wells. However, the City has long pursued a strategy of using wells to meet peak flow and fire flow demands. By doing so, the City has been able to reduce the pipe size of the water distribution system and negate the need for surface water storage. Ratepayers have benefited with reduced infrastructure and maintenance costs. The reliance on ground water for peak flows is likely to remain a standard strategy as the large groundwater basin size and recharge rates are such that the impact of short-term high demands will be negligible.

D. GROUNDWATER SUPPLY PROJECTIONS

1. Groundwater Assessment

Summarized Excerpts from Chapter 3 of the City's 2005 UMWP: 3.2.2 Future Groundwater Supply.

The continuing decline of groundwater levels in the aquifer underlying the City means that the sustainable annual groundwater supply available to the City is something less than what is currently extracted. As a member agency of GBA, the City is participating in the development of policies and programs, including

groundwater recharge and conjunctive use programs, intended to help eliminate the eastern San Joaquin County groundwater basin overdraft condition. Additionally, the City plans to reduce its overall groundwater pumping in the future. A safe yield of approximately 15,000 AFY (Treadwell and Rollo 2005) has been estimated for the aquifer serving Lodi based on water balance calculations (see Appendix G) performed using data primarily from the Eastern San Joaquin Groundwater Management Plan (Appendix F). This safe yield estimate reflects an acreage-based relationship. Therefore, as the City's land area increases, the estimated safe yield of the underlying aquifer will likely increase. The safe yield estimate will be revisited in the 2010 UWMP update. For the purposes of this UWMP, 15,000 AFY has been assumed as the amount of groundwater available during all future (post-2005) years. Although rigorous scientific analyses have not been performed, the City projects that some recharge of the groundwater basin will occur as the amount of groundwater pumped annually decreases. This result, however, is contingent on the cooperative efforts of all groundwater users within the basin, including other cities, agriculture, and private well owners, to reduce groundwater extraction. The City does not expect development of cones depression, significant changes in direction or amount of groundwater flow, changes in the movement or levels of contaminants, or changes in salinity and/or total dissolved solids (TDS) concentrations. The amount of groundwater that is projected to be pumped over the next 25 years is presented in Table 3-4.

Groundwater Pumping Projection

TABLE 3-4 PROJECTED GROUNDWATER PUMPING (Guidebook Table 7)

	2005	2010	2015	2020	2025	2030
Annual Volume, (AFY)	17,300	15,000	15,000	15,000	15,000	15,000
Percent of Total Available Supply ^a	57%	52%	51%	50%	49%	48%

a. Refers to the total supplies shown in Table 3-5.

E. SURFACE WATER SUPPLY PROJECTIONS

3.2.3 Future Surface Water Supply (2005 UWMP excerpt)

As discussed in Section 3.1.4, in May 2003 the City entered into a 40-year agreement with WID for 6,000 AFY of surface water from the Mokelumne River. The diversion point has not yet been determined. The City is considering options for implementing this source before 2010. Therefore, 6,000 AFY of treated surface water is included in the supply projections presented in Table 3-5 below. The City is also considering the possibility of purchasing additional surface water supplies from WID; these supplies are not included in Table 3-5, however, as they are not considered "firm" supplies. (Note: The Agreement with WID is renewable for an additional 40 years, for a total of

80 years. The City Council is currently reviewing groundwater options for utilizing the surface water to serve current and future water demands.)

F. TOTAL GROUNDWATER AND SURFACE WATER PROJECTION

TABLE 3-5 **CURRENT AND PLANNED WATER SUPPLIES (Guidebook Table 4)**

SOURCE (AFY)	2005	2010	2015	2020	2025	2030
Groundwater ^a , AFY	17,300	15,000	15,000	15,000	15,000	15,000
WID Surface Water, AFY	6,000	6,000	6,000	6,000	6,000	6,000
Recycled Water ^b , AFY	7,200	7,700	8,300	8,940	9,630	10,380
TOTAL^c, AFY	30,500	28,700	29,300	29,900	30,600	31,400

a. Refer to Section 3.2.2 for more information

b. Based upon the amount of wastewater treated during 2004, according to City staff. Future recycled water supplies are extrapolated from the 2004 amount. Assumes the permitted capacity of WSWPCF will be increased as necessary.

c. Rounded to nearest hundred.

Source: 2005 UWMP

SECTION 6: STEPS 3 AND 4 - DEMAND

For the 2005 UWMP, records of historical water production were obtained from the City's Public Works Department. The records included both maximum day and annual water production records. Water production is the volume of water measured at the source and includes all water delivered to residential, commercial, and public connections and also includes unaccounted-for water. The records are available from 1970 at the Department of Public Works.

EXCERPTED from the 2005 UWMP to provide the data outlined in Step 3, Detailing Existing and Planned Future Uses, as presented in the Guidebook for Implementation of SB 610, are pages 2-1 to 2-3, pages 3-1 to 3-8, and pages 4-1 to 4-7 with sections entitled:

Chapter 2 Supplier Service Area

- 2.1 Service Area Description
- 2.2 Climate
- 2.3 Other Demographic Factors
- 2.4 Population Projections

Chapter 3 Water Supply

- 3.1 Current Water Supply
 - 3.1.1 Background
 - 3.1.2 Water Supply Facilities
 - 3.1.3 Current Groundwater Supply
 - 3.1.4 Current Surface Water Supply
 - 3.1.5 Current Recycled Water Supply
 - 3.1.6 Water Distribution System
- 3.2 Future Water Supply
 - 3.2.1 Constraints on Existing Supplies
 - 3.2.2 Future Groundwater Supply
 - 3.2.3 Future Surface Water Supply
 - 3.2.4 Future Recycled Water Supply
 - 3.2.5 Planned Water Supply Projects
- 3.3 Exchange or Transfer Opportunities
- 3.4 Desalinated Water
- 3.5 Wholesale Supplies

Chapter 4 Water Demand

- 4.1 Past, Current, and Projected Water Demand
 - 4.1.1 Past and Current Demand
 - 4.1.2 Future Water Demand
- 4.2 Sales to Other Agencies
- 4.3 Other Demands
- 4.4 Total Demands

The aforementioned noted EXCERPTS are as follows:

CHAPTER 2. SUPPLIER SERVICE AREA

2.1 Service Area Description

The City is located in the Northern San Joaquin Valley in San Joaquin County and borders the Mokelumne River. The bulk of the City's geographical area extends from the Mokelumne River on the north, WID South Main Canal and Lower Sacramento Road on the west, Harney Lane on the south, and portions of Highway 99 and Central California Traction (CCT) Railroad on the east. The City's White Slough Water Pollution Control Facility (WSWPCF) lies approximately six miles to the southwest of the City. The City has an estimated 2005 population of 62,467 (California Department of Finance, 2005).

The City of Lodi Water Utility (Utility) is the sole water purveyor for the City of Lodi. The Utility's service area is contiguous with the City boundaries and covers approximately 12 square miles. There are a few minor connections outside the City. The service area includes a mix of residential, commercial, and industrial land use, and is characterized by essentially flat terrain. All future development being considered for the City is expected to occur within the present service area.

2.2 Climate

The City has cool, humid winters, and hot, dry summers. Temperatures average 60 °F annually, ranging from average winter morning lows in the upper 30s to average summer afternoon highs in the upper 80s (Western Regional Climate Center, 2005). Relative humidity ranges from 91% in winter months to 26% in summer months. During summer months, temperatures may exceed 100 °F, impacting water demands significantly. Annual rainfall averages approximately 18 inches, with most rainfall occurring between November and April. The combination of warmer temperatures and low precipitation during the summer results in peak water demands during that period. Reference evapotranspiration (ET_o) values, which serve as indicators of how much water is required to maintain healthy agriculture and landscaping, range from 0.93 inches during December to 8.06 inches in July. Temperature, rainfall and evapotranspiration averages for the City are presented in Table2-1.

TABLE 2-1 SERVICE AREA CLIMATE (GUIDEBOOK TABLE 3)^a

MONTH	JAN	FEB	MARCH	APRIL	MAY	JUNE
Average ET _o ^b (in)	1.24	1.96	3.41	5.10	6.82	7.80
Average Rainfall ^c (in)	3.47	2.95	2.60	1.35	0.49	0.13
Average Temperature ^c (F)	45.65	50.40	54.15	58.90	64.90	70.30

MONTH	JULY	AUG	SEPT	OCT	NOV	DEC	ANNUAL
Avg ET _o ^b (in)	8.06	7.13	5.40	3.72	1.80	0.93	54.3
Avg Rainfall ^c (in)	0.04	0.05	0.30	0.93	2.29	3.03	17.63
Avg Temp ^c (F)	73.70	72.70	69.95	62.60	52.55	45.65	60.12

- b. The term "Guidebook X" refers to the table in the Guidebook to Assist Water Suppliers in the Preparation of a 2005 Urban Water Management Plan by DWR.
c. California Irrigation Management Information System (CIMIS).
d. Western Regional Climate Center.

2.3 Other Demographic Factors

Lodi is built on a strong and broad based agricultural industry with national and industrial markets for its commodities and products. Wines, processed foods, nuts, fruit and milk are major commodities of the Lodi area and provide the basic material for food processing and packaging. These commodities support the operations of General Mills and Pacific Coast Producers, three (actually two) companies in the business of processing local agricultural commodities. In addition, Lodi has a wide range of small, financially sound businesses. These companies range in size from 10 to 150 employees and produce a wide variety of products, services, and commodities.

Recently, there has been an increase in industrial and residential development within the City. This new development, combined with the growing strength of the wine/grape industry, is a positive economic indicator for Lodi. These industries collectively have created approximately 850 new jobs.

The demographic factors affecting the City's water supply management planning include data on the largest customers, including those listed in Table 2-2 below.

TABLE 2-2 LARGE WATER CUSTOMERS

CUSTOMER	2004 WATER USE, MO	% OF TOTAL SYSTEM
Lodi Unified School District	150,703,608	2.7
Pacific Coast Producers	130,632,769	2.4
City of Lodi (incl. parks)	113,024,617	2.0
General Mills	69,261,284	1.2
Cottage Bakery	35,077,460	0.6
Lodi Memorial Hospital	28,502,316	0.5
Certainfeed	7,763,492	0.1
Valley Industries	8,334,291	0.2
Wine & Roses	8,371,534	0.2
Miller Packing Co.	8,442,676	0.2
TOTAL	560,114,047	10.1%

2.4 Population Projections

Currently, the City's population is approximately 62,467. Based upon the City's assumed annual population growth rate of 1.5%, which was presented in the Lodi Wastewater Master Plan (West Yost & Associates, 2001) and reaffirmed during discussions with City staff, population in 2030 is expected to be approximately 90,636. Population projections from 2005 to 2030 are presented in Table 2-3 below. In addition, Table 2-3 presents population projections based on population growth rates of 1% and 2%; the population projections for these growth rates are provided for comparative purposes only.

TABLE 2-3 CURRENT AND PROJECTED POPULATION (GUIDEBOOK TABLE 2)

POPULATION GROWTH RATE ^b	SERVICE AREA POPULATION					
	2005 ^a	2010	2015	2020	2025	2030
1.00%	62,467	65,653	69,002	72,522	76,222	80,110
1.50%	62,467	67,295	72,496	78,098	84,134	90,636
2.00%	62,467	68,969	76,147	84,072	92,823	102,484

a. California Department of Finance (DoF).

b. For the purposes of this UWMP, the City has assumed an annual population growth rate of 1.5%, used in previous reports (e.g., Wastewater Master Plan) for facilities planning. Growth rates of 1% and 2% are shown here for comparative purposes only.

As an additional comparison, the City's existing (1991) General Plan estimated the City's population for 2007 at 71,944 (not including the Planned Residential Reserve area), and 96,589 (including the Planned Residential Reserve area). The higher population estimates presented in the existing General Plan reflect a 1987-2007 growth rate of 2.0%.

CHAPTER 3. WATER SUPPLY

3.1 Current Water Supply

3.1.1 Background

The City currently uses groundwater as its sole source of supply. The City overlies a portion of the San Joaquin Valley groundwater basin, which is not currently adjudicated. The groundwater in the Lodi area exists under unconfined and semi-confined conditions. The Mehrten Formation is the most productive fresh water-bearing unit.

The City is located within the geomorphic province known as the Central Valley, which is divided into the Sacramento Valley and the San Joaquin Valley. The Central Valley is a large, northwestward-trending, asymmetric structural trough that has been filled with several miles of thick sediment (USGS 1986). The City lies within the San Joaquin Hydrologic Basin (DWR, Bulletin 118) that straddles portions of both the

Sacramento and San Joaquin Valleys. Sediments of the San Joaquin Valley consist of interlayered gravel, sand, silt, and clay derived from the adjacent mountains and deposited in alluvial-fan, floodplain, flood-basin, lacustrine, and marsh environments. Hydrogeologic units in the San Joaquin Basin include both consolidated rocks and unconsolidated deposits. The consolidated rocks include 1) the Victor Formation, 2) the Laguna Formation, and 3) the Mehrten Formation. The consolidated rocks generally yield small quantities of water to wells except for the Mehrten Formation, which is an important aquifer (DWR). The unconsolidated deposits include 1) continental deposits, 2) lacustrine and marsh deposits, 3) older alluvium, 4) younger alluvium, and 5) flood-basin deposits. The continental deposits and older alluvium are the main water-yielding units in the unconsolidated deposits.

Groundwater flow direction is generally toward the south in agreement with the regional groundwater flow gradient but may vary from south-southwest to south-southeast with local gradients likely influenced by pumping from municipal supply wells.

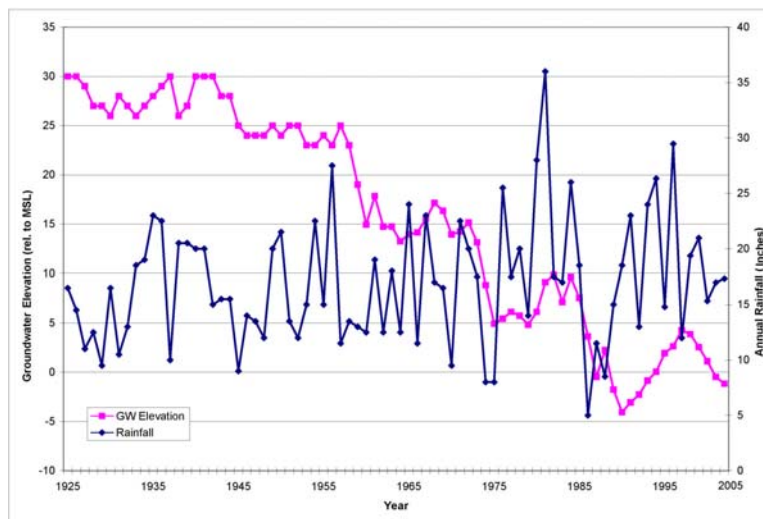


FIGURE 3-1. HISTORICAL GROUNDWATER ELEVATION

Source: City of Lodi Public Works Department

Pumping tests on municipal wells indicate that they possess a large capture zone, and thus have a large influence upon groundwater flow. Pumping of municipal supply wells in the City is performed between 100 and 500 feet below ground surface (Geomatrix, 2006).

DWR has declared that the groundwater basin underlying Eastern San Joaquin County is overdrafted, and groundwater levels in the County and the City are generally decreasing. The groundwater levels also fluctuate over time depending on precipitation, aquifer recharge, and pumping

demands. Groundwater elevations relative to mean sea level (MSL), and the corresponding annual precipitation from 1927 through 2004 are shown in Figure 3-1. Overall, the average annual decrease in groundwater levels from 1927 to 2004 has been 0.39 feet per year. Generally, groundwater elevations have decreased with the increase in population and water production. However, annual rainfall also influences groundwater elevation. The groundwater level increase from 1981 to 1984 can be partially attributed to the increase in annual rainfall from 1981 to 1983. Groundwater elevations for the years 1927 to 1961 were obtained from East Bay Municipal Utilities District (EBMUD) for the City's 12 square mile area. Groundwater elevation data from 1962 to the present were obtained from the City's Public Works Department for Well No. 2, one of the oldest production wells in the City.

3.1.2 Water Supply Facilities

The Utility operates 26 groundwater production wells. The locations of the wells are presented in Figure 3-2 and discussed in further detail below.

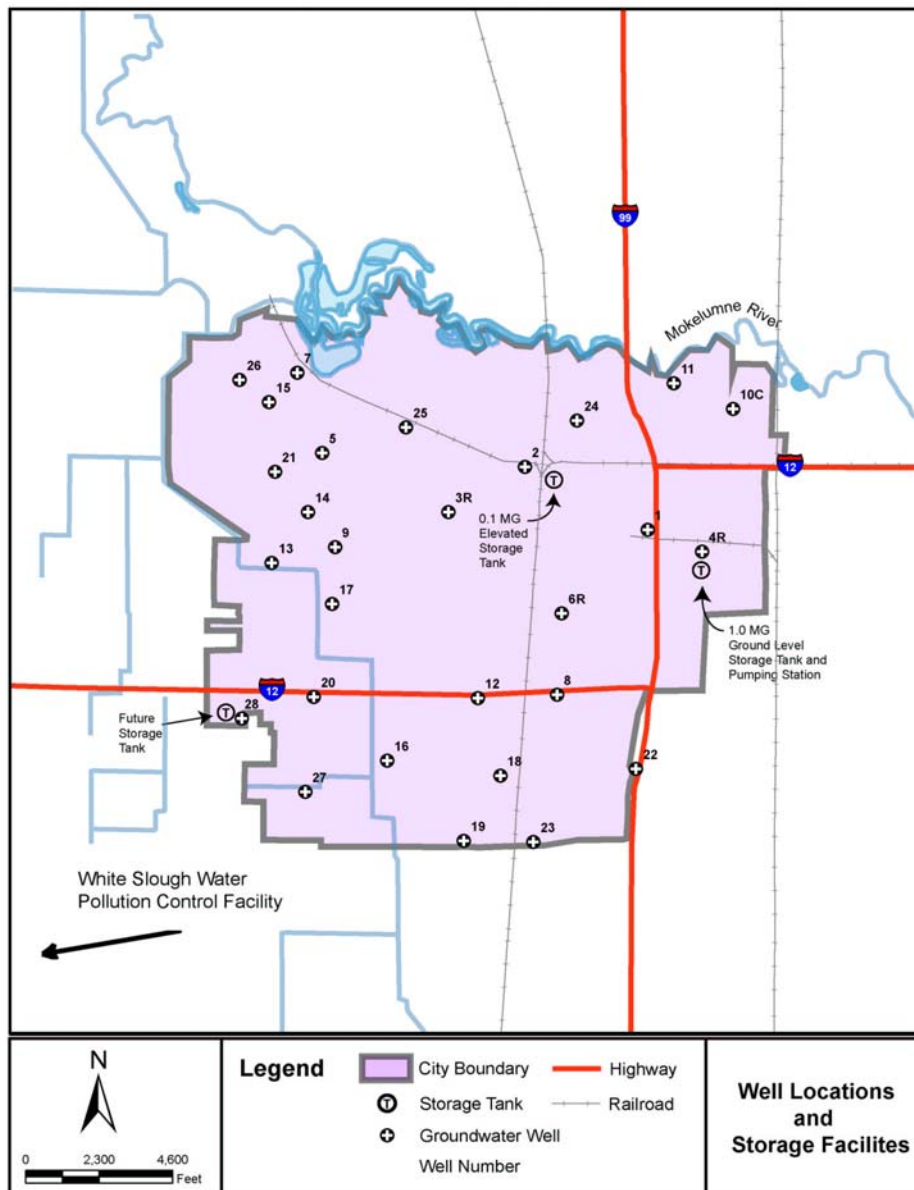


FIGURE 3-2. WELL LOCATIONS AND STORAGE FACILITIES

3.1.3 Current Groundwater Supply

The 26 wells that currently provide water to the City have a combined capacity of 35,210 gallons per minute (gpm), or 50.7 million gallons per day (mgd). The wells operate automatically on water pressure demand and pump directly into the distribution system. All wells are equipped to provide emergency chlorination as needed. Historically, water has not required chlorination. Six wells are equipped with

granular activated carbon (GAC) for the removal of diobromochloropropane (DBCP). Capacity information for the existing wells is summarized in Table 3-1.

TABLE 3-1 GROUNDWATER WELL CAPACITY

WELL NUMBER	WELL CAPACITY, GPM ^b	WELL CAPACITY, MGD ^c
1R	1,130	1.6
2	820	1.2
3R	820	1.2
4R ^a	1,960	2.8
5	1,180	1.7
6R	1,580	2.3
7	1,160	1.7
8	800	1.2
9	900	1.3
10C	1,300	1.9
11R	1,320	1.9
12	800	1.2
13	1,150	1.7
14	1,670	2.4
15	1,500	2.2
16 ^a	1,110	1.6
17	1,800	2.6
18 ^a	1,800	2.6
19	1,110	1.6
20 ^a	2,070	3.0
21	2,050	3.0
22 ^a	1,400	2.0
23 ^a	1,410	2.0
24	1,420	2.0
25	1,580	2.3
26	1,370	2.0
TOTAL	35,210	50.7

a. Wells equipped with GAC

b. gpm = gallons per minute

c. mgd = million gallons per day

Table 3-2 presents the amounts of groundwater extracted by the City between 1970 and 2004.

TABLE 3-2 HISTORICAL GROUNDWATER PRODUCTION (GUIDEBOOK TABLE 5)^a

YEAR	GROUNDWATER PRODUCTION, AF	PERCENT OF TOTAL WATER SUPPLY
1970	11,462	100%
1971	12,303	100%
1972	11,686	100%
1973	12,204	100%
1974	12,002	100%
1975	12,294	100%
1976	13,607	100%
1977	10,578	100%
1978	11,477	100%
1979	12,349	100%
1980	12,312	100%
1981	12,487	100%
1982	11,560	100%
1983	11,539	100%
1984	13,997	100%
1985	14,813	100%
1986	15,080	100%
1987	15,304	100%
1988	15,359	100%
1989	14,653	100%
1990	15,387	100%
1991	13,313	100%
1992	13,985	100%
1993	14,013	100%
1994	14,301	100%
1995	14,390	100%
1996	15,102	100%
1997	16,330	100%
1998	14,461	100%
1999	16,588	100%
2000	16,724	100%
2001	17,108	100%
2002	16,641	100%
2003	16,185	100%
2004	17,011	100%

a. The term "Guidebook X" refers to the table in the Guidebook to Assist Water Suppliers in the Preparation of a 2005 Urban Water Management Plan by DWR.

3.1.4 Current Surface Water Supply

In May 2003, the City entered into an agreement with Woodbridge Irrigation District (WID) to purchase 6,000 acre-feet per year (AFY) of surface water for a period of 40 years. However, at the time this UWMP was prepared, the City had not yet begun using water from this supply. A copy of the City's agreement with WID is included in Appendix D.

3.1.5 Current Recycled Water Supply

The City's wastewater discharge permit requires an agronomic application rate. According to discussions with City staff, approximately 2,500 AFY of secondary treated recycled water is currently used, primarily for irrigation in the area surrounding WSWPCF. This represents approximately 35% of the total treated wastewater produced at WSWPCF. The City discharges the non-irrigation water, treated to Title 22 tertiary standards, to the Delta. The Utility currently lacks the necessary infrastructure to distribute additional recycled water to more of its customers.

For a more detailed discussion of the City's recycled water supply, as well as the processes by which it is treated, refer to Chapter 8.

3.1.6 Water Distribution System

The City of Lodi's distribution system consists of a 100,000 gallon elevated storage tank, a 1 million gallon (MG) storage facility and pumping station, and the piping system. The 1 MG storage tank, located east of Highway 99 on Thurman Street, stores groundwater from an onsite well to meet peak hour demands and fire flows. The 100,000 gallon elevated storage tank is located on North Main Street. The storage facilities and their capacities are presented in Table 3-3. Their locations are shown in Figure 3-2.

TABLE 3-3 WATER STORAGE FACILITIES

STORAGE FACILITY	STORAGE VOLUME, MG
Elevated Storage Tank	0.10
Ground Level Storage Tank	1.00
TOTAL	1.10

Distribution mains in the City's piping system range from 14 inches to 2 inches in diameter, and the entire distribution system consists of approximately 225 miles of pipe. The City is in the process of replacing the two-inch and three-inch diameter mains as well as other deficient pipes.

A summary of the City's current and planned water supplies is presented in Table 3-5.

3.2 FUTURE WATER SUPPLY

3.2.1 Constraints on Existing Supplies

The City's current water supply system is constrained by 1) the pumping capacity of its currently active wells, and 2) a longer-term reduction in supply due to the overdrafting currently taking place in the City's groundwater basin. Although the declining groundwater basin is a result of groundwater extraction by all groundwater pumpers in the area, including other cities, agriculture, private well owners, and the City itself, the City plans to reduce its groundwater pumping in the long term as part of what will have to be a regional effort to stabilize the groundwater basin. A copy of the GBA Groundwater Management Plan is included in Appendix F.

3.2.2 Future Groundwater Supply

The continuing decline of groundwater levels in the aquifer underlying the City means that the sustainable annual groundwater supply available to the City is something less than what is currently extracted. As a member agency of GBA, the City is participating in the development of policies and programs, including groundwater recharge and conjunctive use programs, intended to help eliminate the eastern San Joaquin County groundwater basin overdraft condition. Additionally, the City plans to reduce its overall groundwater pumping in the future. A safe yield of approximately 15,000 AFY (Treadwell and Rollo, 2005) has been estimated for the aquifer serving Lodi based on water balance calculations (see Appendix G) performed using data primarily from the Eastern San Joaquin Groundwater Management Plan (Appendix F). This safe yield estimate reflects an acreage-based relationship. Therefore, as the City's land area increases, the estimated safe yield of the underlying aquifer will likely increase. The safe yield estimate will be revisited in the 2010 UWMP update. For the purposes of this UWMP, 15,000 AFY has been assumed as the amount of groundwater available during all future (post-2005) years. Although rigorous scientific analyses have not been performed, the City projects that some recharge of the groundwater basin will occur as the amount of groundwater pumped annually decreases. This result, however, is contingent on the cooperative efforts of all groundwater users within the basin, including other cities, agriculture, and private well owners, to reduce groundwater extraction. The City does not expect development of cones of depression, significant changes in direction or amount of groundwater flow, changes in the movement or levels of contaminants, or changes in salinity and/or total dissolved solids (TDS) concentrations. The amount of groundwater that is projected to be pumped over the next 25 years is presented in Table 3-4.

TABLE 3-4 PROJECTED GROUNDWATER PUMPING (GUIDEBOOK TABLE 7)

YEAR	2005	2010	2015	2020	2025	2030
Annual Volume, AF	17,300	15,000	15,000	15,000	15,000	15,000
Total Available Supply, % ^a	57%	52%	51%	50%	49%	48%

a. Refers to the total supplies shown in Table 3-5.

3.2.3 Future Surface Water Supply

As discussed in Section 3.1.4 in May 2003 the City entered into a 40-year agreement with WID for 6,000 AFY of surface water from the Mokelumne River. The diversion point has not yet been determined. The City is considering options for implementing this source before 2010. Therefore, 6,000 AFY of treated surface water is included in the supply projections presented in Table 3-5 below. The City is also considering the possibility of obtaining additional surface water supplies from WID; these supplies are not included in Table 3-5, however, as they are not yet considered “firm” supplies.

3.2.4 Future Recycled Water Supply

As discussed in Section 3.1.5, the City currently treats approximately 7,200 AFY of wastewater at WSWPCF, of which 2,500 AFY is recycled in the vicinity of WSWPCF. WSWPCF has adequate capacity to treat all wastewater flows to Title 22 standards. The City is in the process of developing a Recycled Water Master Plan (RWMP) that will outline additional distribution of this supply to the Utility’s customers. For the purposes of this UWMP, all treated wastewater produced at WSWPCF has been treated as recycled water supply and is included in Table 3-5 below. The amount of recycled water available increases with time, because as the City’s population increases, the amount of wastewater available for reclamation will also increase. For a more detailed discussion of recycled water supply projections, refer to Section 8.6.

TABLE 3-5 CURRENT AND PLANNED WATER SUPPLIES (GUIDEBOOK TABLE 4)

WATER SUPPLY SOURCE AFY	2005	2010	2015	2020	2025	2030
Groundwater, AFY	17,300	15,000	15,000	15,000	15,000	15,000
WID Surface Water, AFY	6,000	6,000	6,000	6,000	6,000	6,000
Recycled Water ^b , AFY	7,200	7,700	8,300	8,940	9,630	10,380
TOTAL^c, AFY	30,500	28,700	29,300	29,900	30,600	31,400

a. Refer to Section 3.2.2 for more information.

b. Based on the amount of wastewater treated during 2004, according to City staff. Future recycled water supplies are extrapolated from the 2004 amount. Assumes that the permitted capacity of WSWPCF will be increased as necessary.

c. Rounded to nearest hundred.

3.2.5 Planned Water Supply Projects

At the present time the City does not have approved plans for any additional water supply projects. The City has participated in the Mokelumne River Regional Water Storage and Conjunctive Use (MORE WATER) Feasibility Analysis. The MORE WATER project, if approved, would capture unappropriated flows from the Mokelumne River for storage and beneficial use.

3.3 EXCHANGE OR TRANSFER OPPORTUNITIES

The City does not currently have any approved plans to pursue exchange or transfer opportunities.

3.4 DESALINATED WATER

At the present time the City does not foresee any opportunities for the use of desalinated water, which includes ocean water, brackish ocean water, and brackish groundwater, as long-term supplies.

3.5 WHOLESALE SUPPLIES

Since surface water will be purchased from WID, WID is considered a wholesale water supplier by DWR. As such, the City has provided demand projections to WID for the next 25 years. Similarly, the City has received availability projections from WID for the same time period. These demand and availability projections are presented in Table 3.6 and Table 3-7 below. As discussed previously, the City has not yet begun to use this water supply. As stated in the City's contract with WID, any water not taken by the City during the first three years of the contract (May 2003 to May 2006) may be "banked" and delivered to the City in subsequent years, provided WID has sufficient water available. The banked supply may not exceed 18,000 AF. To date, over 16,000 AF of water has been banked. The City has not made any formal plans at this time to use any of its banked supply, in addition to the normal 6,000 AFY, for any of the years shown in the tables below. However, the projected supplies and demands shown below may increase if and when the City decides to use its banked supply. The magnitude and availability of banked supply to be delivered will be discussed with WID at an appropriate time(s) in the future.

TABLE 3-6 DEMAND PROJECTIONS FOR WHOLESALE SUPPLY

WHOLESALE SUPPLY	PROJECTED DEMAND ^a					
	2005 ^a	2010	2015	2020	2025	2030
WID Surface Water, AFY	0	6,000	6,000	6,000	6,000	6,000

a. Subject to change with WID and City approval. Although the City may take water deliveries in excess of 6,000 AFY from its "banked" supply, no formal plans to do so have been developed at this time.

TABLE 3-7 AVAILABILITY PROJECTIONS FROM WHOLESALE SUPPLIER

WHOLESALE SUPPLY	PROJECTED AVAILABILITY ^a					
	2005 ^a	2010	2015	2020	2025	2030
WID Surface Water, AFY	6,000	6,000	6,000	6,000	6,000	6,000

a. Subject to change with WID and City approval. Although the City may take water deliveries in excess of 6,000 AFY from its "banked" supply, no formal plans to do so have been developed at this time.
 b. Reliability of WID supply is indicated in the City's contract with WID in Appendix D.

Wholesale supply reliability is presented in Chapter 6. Although changes in deliverable volumes of water for future hydrologic scenarios have not been formally predicted at this time, Chapter 6 presents the most restrictive possible cases for the future.

CHAPTER 4. WATER DEMAND

4.1 Past, Current, and Projected Water Demand

Water demand projections provide the basis for sizing and staging future water supply facilities. Water use and production records, combined with projections of population and urban development, provide the basis for estimating future water requirements. This chapter presents a summary of available demographic and water use data and the resulting projections of future water needs for the City.

4.1.1 Past and Current Water Demand

Records of historical water production were obtained from the City's Public Works Department. These data include both maximum day and annual water production. Water production is the volume of water measured at the source, which includes all water delivered to residential, commercial, and public authority connections, as well as unaccounted-for water.

Annual Water Production - Groundwater production from 1970 to 2004 is presented in Table 3-2. Total water production in 2004 was 17,011 acre-feet (AF). Water use by customer class can only be estimated, as most of the Utility's customers are not currently metered.

Maximum Day Demand - Daily demand fluctuates throughout the year, due primarily to seasonal climate changes. Water demands are significantly higher in the summer than the winter. System production facilities must be sized to meet the demand on the maximum day of the year, not just the average. Water systems are sized to meet the greater of 1) the maximum day demands plus fire flow, or 2) peak hour demand. Fire flow and peak hour demand are not addressed in this UWMP.

The average day and maximum day demands for years 1977 through 2004 are presented in Table 4-1. The maximum day demand in 2004 was 19,014 gpm, in comparison with the total well production capacity of 35,210 gpm. The ratio between average and maximum day demands provides a maximum day peaking factor that can be used to scale annual demand projections to maximum day levels. The average maximum day peaking factor from 1995 to 2004 is 1.91.

TABLE 4-1 MAXIMUM DAY DEMAND AND PEAKING FACTORS

YEAR	ANNUAL AVERAGE			MAXIMUM DAY		PEAKING FACTOR ^b
	AFY	MGD	GPM	MGD	GPM	
1977	10,578	9.44	6,556	19.28	13,389	2.04
1978	11,478	10.25	7,118	-- ^a	--	-- ^a
1979	12,349	11.02	7,653	22.50	15,625	2.04
1980	12,312	10.99	7,632	24.00	16,667	2.18
1981	12,487	11.15	7,743	22.34	15,514	2.00
1982	11,560	10.32	7,167	21.30	14,792	2.06
1983	11,539	10.30	7,153	21.67	15,049	2.10
1984	13,997	12.50	8,681	26.20	18,194	2.10
1985	14,814	13.22	9,181	-- ^a	--	-- ^a
1986	15,081	13.46	9,347	26.91	18,688	2.00
1987	15,305	13.66	9,486	27.00	18,750	1.98
1988	15,360	13.71	9,521	28.40	19,722	2.07
1989	14,654	13.08	9,083	28.50	19,792	2.18
1990	15,387	13.74	9,542	24.29	16,868	1.77
1991	13,313	11.88	8,250	21.55	14,965	1.81
1992	13,985	12.48	8,667	24.00	16,667	1.92
1993	14,013	12.51	8,688	24.10	16,736	1.93
1994	14,301	12.77	8,868	22.94	15,931	1.80
1995	14,390	12.85	8,924	24.64	17,111	1.92
1996	15,102	13.48	9,361	27.93	19,396	2.07
1997	16,330	14.58	10,125	28.68	19,917	1.97
1998	14,461	12.91	8,965	29.66	20,597	2.30
1999	16,587	14.81	10,285	28.32	19,667	1.91
2000	16,724	14.93	10,368	29.48	20,472	1.97
2001	17,108	15.27	10,606	30.10	20,903	1.97
2002	16,641	14.86	10,317	28.70	19,931	1.93
2003	16,185	14.45	10,034	26.68	18,530	1.85
2004	17,011	15.19	10,546	27.38	19,014	1.80
Average 1977 – 2004		13.48	9,364	27.45	19,063	1.93
Average 1995 – 2004		14.94	10,374	28.62	19,873	1.91

a. Data unavailable

Source: City of Lodi Public Works Department

b. Maximum day peaking factor = maximum day demand/annual average day demand

Unaccounted-for Water - Unaccounted-for water use is unmetered water use, such as water use for fire protection and training, system and hydrant flushing, sewer cleaning, system leaks, and unauthorized connections. Unaccounted-for water can also result from meter inaccuracies. Since the City's system is not completely

metered, data are unavailable for determining the percentage of unaccounted-for water. Unaccounted-for water is generally assumed to equal approximately 10 percent of total water production.

Unit Water Use - Recent historical unit water use, expressed as gallons per capita per day (gpcd), is shown in Table 4-2. These unit demands include commercial usage, industrial usage, and unaccounted-for water.

TABLE 4.2 RECENT HISTORICAL UNIT WATER USE

YEAR	POPULATION	UNIT WATER USE ^a , GPCD
1999	56,926	260
2000	57,763	258
2001	58,600	261
2002	59,431	250
2003	60,521	239
2004	61,325	248

a. Based on total municipal water production provided by City of Lodi staff.

4.1.2 Future Water Demand

Future water demands are estimated based on 1) a constant 1.5% annual increase in the City's demand, 2) a constant 1.5 percent annual increase in the number of service connections, 3) the assumption that the City will install and begin reading water meters at a rate of approximately 950 per year, starting in 2006 or 2007, and 4) the assumption that as existing service connections become metered they will exhibit slightly lower unit demand factors than existing service connections without meters. It has been assumed that a residential service connection will exhibit a demand reduction of approximately 15%¹ once billing has commenced at commodity rates. Demands were projected based on actual water use in 2004. These projections are shown in Table 4-5 and illustrated in Figure 4-1. By 2030, average annual water demands² are expected to have increased from current demands by approximately 20%, from about 19,800 AFY (17.7 mgd) in 2005 to 23,800 AFY (21.2 mgd) in 2030. Demand projections by water use sector are presented in Table 4-3.

The projections in Table 4-5 represent normal (average) conditions, as actual use varies based on a number of factors. For this reason, it can be expected that there will be variations in the City's future water usage. The values predicted in these tables have been used in this UWMP, as they are assumed to represent average conditions of water demand.

¹ Based upon 1) information from the California Urban Water Council (CUWC, 2005) and 2) judgment from the City of Lodi staff

² Including 2,500 AFY currently being recycled in the vicinity of WSWPCF.

TABLE 4-3: PAST, CURRENT, AND PROJECTED WATER USE BY CUSTOMER CLASS (Guidebook Table 12)^a

Year	Customer Class	Unmetered Connections ^c	Unmetered Deliveries ^{f,G} , AFY	Metered Connections ^{e,H}	Metered Deliveries ^{c,F,G} , AFY	Total Number of Connections	Total Municipal Deliveries ^d , AFY
2001	SFR	15,410	10,071	0	0	15,410	10,071
	MFR	577	2,828	0	0	577	2,828
	Commercial/Institutional	310	569	950	1,744	1,260	2,313
	Industrial	0	0	53	1,632	53	1,632
	Landscape	8	73	21	191	29	264
	TOTAL^b	16,300	13,500	1,000	3,600	17,300	17,100
2005	SFR	16,537	9,955	0	0	16,537	9,955
	MFR	639	2,882	0	0	639	2,882
	Commercial/Institutional	310	750	1,018	2,462	1,328	3,211
	Industrial	0	0	56	945	56	945
	Landscape	8	76	23	219	31	295
	TOTAL^b	17,500	13,700	1,100	3,600	18,600	17,300
2010	SFR	13,205	7,949	4,610	2,775	17,815	10,725
	MFR	509	2,294	180	811	688	3,105
	Commercial/Institutional	249	602	1,182	2,858	1,431	3,459
	Industrial	0	0	60	1,018	60	1,018
	Landscape	0	-2	34	320	33	318
	TOTAL^b	14,000	10,800	6,100	7,800	20,000	18,600
2015	SFR	8,730	5,255	10,462	6,298	19,192	11,554
	MFR	334	1,504	408	1,840	742	3,345
	Commercial/Institutional	159	384	1,382	3,343	1,541	3,727
	Industrial	0	0	65	1,094	65	1,094
	Landscape	0	0	36	345	36	345
	TOTAL^b	9,200	7,100	12,400	12,900	21,600	20,100
2020	SFR	4,255	2,561	16,420	9,885	20,675	12,446
	MFR	158	715	640	2,888	799	3,603
	Commercial/Institutional	69	167	1,591	3,848	1,660	4,015
	Industrial	0	0	70	1,178	70	1,178
	Landscape	0	0	39	372	39	372
	TOTAL^b	4,500	3,400	18,800	18,200	23,200	21,600

Continued on next page

Year	Customer Class	Unmetered Connections ^e	Unmetered Deliveries ^{f,g} , AFY	Metered Connections ^{e,h}	Metered Deliveries ^{c,f,g} , AFY	Total Number of Connections	Total Municipal Deliveries ^d , AFY
2025	SFR	0	0	22,273	13,409	22,273	13,409
	MFR	0	0	861	3,884	861	3,884
	Commercial/ Institutional	0	0	1,788	4,324	1,789	4,324
	Industrial	0	0	75	1,269	75	1,269
	Landscape	0	0	42	401	42	401
	TOTAL^b	0	0	25,000	23,300	25,000	23,300
2030	SFR	0	0	23,994	14,445	23,994	14,445
	MFR	0	0	927	4,181	927	4,181
	Commercial/ Institutional	0	0	1,927	4,659	1,927	4,659
	Industrial	0	0	81	1,371	81	1,371
	Landscape	0	0	45	428	45	428
	TOTAL^b	0	0	27,000	25,100	27,000	25,100

- The term "Guidebook X" refers to the table in the Guidebook to Assist Water Suppliers in the Preparation of a 2005 Urban Water Management Plan by DWR.
- Rounded to the nearest hundred.
- Does not reflect demand reductions as a result of meter implementation. Refer to Table 4-5 for water savings as a result of meter implementation.
- Does not include 2,500 AFY currently being recycled in the vicinity of WSWPCF.
- Assumes 10 dwelling units per MFR connection.
- Assumes 75% of total water deliveries go to SFR and MFR connections. This assumption is based on recent water usage statistics for the City, and is consistent with historical per capita water usage.
- Assumes that the per-dwelling-unit demand factor for MFR connections is 75% of the unit demand factor for SFR connections.
- Assumes that approximately 950 existing connections are retrofitted with meters every year between 2006 and 2025. The actual rate at which meters are installed/retrofitted may be greater.

4.2 Sales to Other Agencies

At the present time, the City does not foresee any opportunities for sales to other agencies.

4.3 Other Demands

Other water uses and losses in the City's service area are presented in Table 4-4 below. The 2,500 AFY shown for recycled water includes the amount of water currently used to irrigate land in the vicinity of WSWPCF. Although the land is irrigated with non-potable secondary treated wastewater, the 2,500 AFY must be subtracted from the total amount of wastewater available to the City for reclamation and reuse in municipal applications. For the purposes of this UWMP, therefore, the 2,500 AFY is considered a demand.

TABLE 4-4 ADDITIONAL WATER USES AND LOSSES (GUIDEBOOK TABLE 14)

WATER USE	2000	2005	2010	2015	2020	2025	2030
Recycled Water ^a	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Unaccounted-for System Losses ^b	1,672	1,727	1,774	1,801	1,837	1,883	2,029
TOTAL	4,172	4,227	4,274	4,301	4,337	4,383	4,529

- a. Reflects the amount of recycled water currently recycled in the vicinity of WSWPCF. Does not include 1 mgd promised by the City in a "will serve" letter to Northern California Power Agency, as the power plant that would utilize this water is only potential at this time.
- b. Unaccounted-for system losses are generally assumed to be approximately 10 percent of total water production. Because water usage is measured at the City's wells, unaccounted-for water is "accounted for" in the City's total demand projections in Table 4-5 (i.e., it should not be added to the demands in Table 4-5).

4.4 Total Demands

The City's total average annual demands are presented in Table 4-5 and Figure 4-1. For the purposes of this UWMP, only the projected future demands with conservation are considered in subsequent analyses. It should be noted that while Table 4-3 includes projections for municipal demands only, Table 4-5 includes a demand of 2,500 AFY for non-municipal recycling (refer to previous section).

TABLE 4-5 TOTAL DEMANDS (GUIDEBOOK TABLE 15)

YEAR		2005	2010	2015	2020	2025	2030
Demand AFY	Without Conservation ^a	19,800	21,100	22,500	24,100	25,800	27,600
	With Conservation ^{ab}	19,800	20,400	20,900	21,600	22,300	23,800

- a. Includes 2,500 AFY of recycled water currently recycled in the vicinity of WSWPCF. Table 4-3 includes municipal demands only, and therefore does not match this table.
- b. Assumes a 15 percent reduction in demand for metered residential service connections.

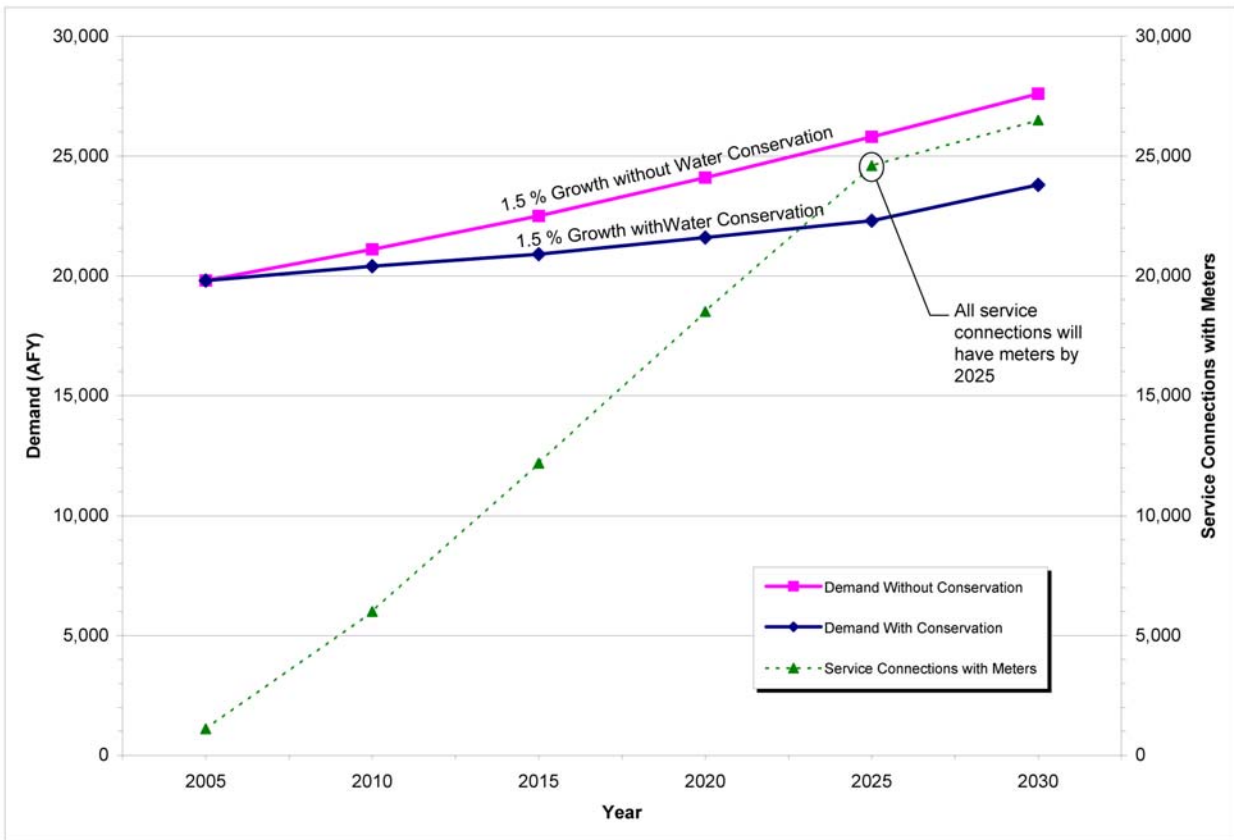


FIGURE 4-1. PROJECTED WATER DEMAND

STEP 4 - DOCUMENTING DRY YEARS SUPPLY

EXCERPTED from the 2005 UWMP to provide the data outlined in Step 4 of the Guidelines for Implementation of SB 610 are pages 6-1 to 6-4 with sections entitled:

Chapter 6 Water Supply Reliability

- 6.1 Climate
 - 6.1.1 Reliability and Vulnerability of Water Supply to Seasonal or Climatic Changes
- 6.2 Projected Normal Water Year Supply
- 6.3 Projected Single Dry Year Supply
- 6.4 Projected Multiple Dry Year Supply
 - 6.4.1 Minimum Supply Volumes for Next Three Years
 - 6.4.2 Basis for Normal, Single Dry and Multiple Dry Year Water Data
- 6.5 Supply Inconsistencies

The Excerpts noted above are as follows:

CHAPTER 6. WATER SUPPLY RELIABILITY

This section provides a description of the potential variability in the City's water supplies caused by environmental, legal, and climatic factors, as well as the steps being taken by the City to address these potential concerns.

6.1 Climate

In California, climate can significantly affect the reliability of water supplies in certain regions. This section analyzes the vulnerability of the City's water supplies to climatic effects.

6.1.1 Reliability and Vulnerability of Water Supply to Seasonal or Climatic Changes

Groundwater - *Although the City's groundwater basin is replenished in part by the Mokelumne River, the annual quantity of groundwater available does not vary significantly due to seasonal or climatic changes. Additionally, seasonal or climatic changes are not expected to impair the City's ability to extract groundwater, as seven of the City's wells are equipped with emergency generators.*

Surface Water - *The reliability of the City's surface water supply may be affected by drought. The City's contract for surface water delivery from WID, which diverts water from the Mokelumne River, is subject to curtailments of up to fifty percent during dry years. WID is required by the contract to annually provide the City, on or about May 1, with a preliminary estimate of whether or not the City's deliveries will be curtailed in a given year. Final estimates of any curtailment in a given year must be provided to the City on or about July 1.*

Recycled Water - *The amount of recycled water available to the City comes primarily from indoor water use within the City's limits and is not expected to fluctuate significantly due to seasonal or climatic changes.*

6.2 Projected Normal Water Year Supply

During normal water years, no curtailments or other reductions in supply are expected for any of the City's supplies. The projected normal water year supplies from 2010 to 2030 are shown in Table 6-1.

TABLE 6-1 WATER SUPPLY RELIABILITY (GUIDEBOOK TABLE 8)^a

WATER YEAR TYPE	SUPPLY TYPE	2010	2015	2020	2025	2030
Normal	Groundwater, AFY	15,000	15,000	15,000	15,000	15,000
	Surface Water, AFY	6,000	6,000	6,000	6,000	6,000
	Recycled Water ^b , AFY	7,700	8,300	8,940	9,630	10,380
	TOTAL^c, AFY	28,700	29,300	29,900	30,600	31,400

- a. The term "Guidebook X" refers to the table in the Guidebook to Assist Water Suppliers in the Preparation of a 2005 Urban Water Management Plan by DWR.
- b. Extrapolated from the amount of wastewater treated in 2004. Assumes that the permitted capacity of WSWPCF will be increased as necessary.
- c. Rounded to the nearest hundred

6.3 Projected Single Dry Year Supply

During single dry water years, there may be up to a 10.5% reduction³ in the City's normal combined water supplies, reflecting a 50% curtailment in the City's surface water supply by WID. No reductions are assumed for the City's recycled water or groundwater supplies. The projected single dry water year supplies from 2010 to 2030 are shown in Table 6-2.

- 3 Assuming that the amount of available recycled water increased over time, the maximum percent reduction projected will decrease from 10.5% in 2010 to 9.6% in 2030.

6.4 Projected Multiple Dry Year Supply

Because the City's surface water supply is the only supply that is considered to be susceptible to dry water years, and because 50% is the maximum annual curtailment allowed under the City's contract with WID, supplies available during multiple dry water years are assumed to be no different than supplies available during single dry water years. The projected multiple dry water year supplies from 2010 to 2030 are shown in Table 6-2.

TABLE 6-2 SINGLE DRY AND MULTIPLE DRY WATER YEAR SUPPLY PROJECTIONS

WATER YEAR TYPE	SUPPLY TYPE	2010	2015	2020	2025	2030
Single Dry	Groundwater, AFY	15,000	15,000	15,000	15,000	15,000
	Surface Water, AFY	3,000	3,000	3,000	3,000	3,000
	Recycled Water ^b , AFY	7,700	8,300	8,940	9,630	10,380
	TOTAL^c, AFY	25,700	26,300	26,900	27,600	28,400
Multiple Dry	Groundwater, AFY	15000	15000	15000	15000	15000
	Surface Water, AFY	3000	3000	3000	3000	3000
	Recycled Water ^b , AFY	7700	8300	8940	9630	10380
	TOTAL^c, AFY	25700	26300	26900	27600	28400
Summary	Single Dry Water Year, AFY	25700	26300	26940	27630	28380
	Percent of Normal	90%	90%	90%	90%	90%
	Multiple Dry Water Year(s), AFY	25700	26300	26940	27630	28380
	Percent of Normal	90%	90%	90%	90%	90%

b. Extrapolated from the amount of wastewater treated in 2004. Assumes that the permitted capacity of WSWPCF will be increased as necessary.

c. Rounded to the nearest hundred

The future supply volumes presented in Sections 6.2 to 6.4 represent the water to which the City has the legal rights to use. This should not be confused with water that can readily be distributed to the Utility's customers, as additional infrastructure must be constructed before the total volumes presented in the tables above can be distributed to the City. In order to provide the City with surface water, for example, intake facilities, a surface water treatment plant, and additional distribution pipeline could be required.

6.4.1 Minimum Supply Volumes for the Next Three Years

Under agreements with the East Bay Municipal Utilities District (EBMUD), WID obtains water stored in Pardee and Comanche reservoirs. Since both of these reservoirs are currently full, supply volumes for the City of Lodi for the next three years are expected to be "normal." However, the minimum supply volumes for 2006 through 2008, or the supplies available if the City's contract with WID faced maximum curtailments, are presented in Table 6-3.

TABLE 6-3 MINIMUM SUPPLY VOLUMES FOR 2006-2008 (GUIDEBOOK TABLE 24)

SUPPLY TYPE	2006	2007	2008
Groundwater, AFY	15,000	15,000	15,000
Surface Water, AFY	3,000	3,000	3,000
Recycled Water, AFY	7,200	7,300	7,400
TOTAL, AFY	25,200	25,300	25,400

a. Reflects the total amount of wastewater available to the City for reclamation and reuse

6.4.2 Basis for Normal, Single Dry, and Multiple Dry Year Water Data

The data presented in Sections 6.2 through 6.4 were developed based on 1) the assumptions that the City's groundwater and recycled water supplies are not susceptible to short term drought conditions, and 2) the City's contract with WID. Since the City's contract with WID is relatively new, there have been no historical curtailments in the City's surface water supply upon which to base future dry water year projections. Hence, the maximum allowable curtailment has been assumed for these circumstances. The base year for all water year data is 2005.

TABLE 6-4 BASIS OF WATER YEAR DATA (GUIDEBOOK TABLE 9)

WATER YEAR TYPE	BASE YEAR
Normal	2005
Single Dry	2005
Multiple Dry	2005

6.5 Supply Inconsistencies

Water supply from the City's only wholesale supplier, WID, is susceptible primarily to drought conditions, when diversions from the Mokelumne River may be reduced by WID. Due to the infancy of this contract, there are no historical reductions upon which to base assumptions. Even in the most severe drought conditions, however, WID may only reduce the City's supply by 50 percent. Supply reliability projections for this source are presented in Table 3-7.

Water supply from the City's groundwater wells is considered to be very consistent. Historical fluctuations in groundwater levels due to changes in climatic conditions have been minor, and have not significantly impacted well production capacity. Additionally, six of the City's wells are equipped with granular activated carbon (GAC), and provide added insurance against inconsistencies caused by the presence of contaminants in the City's aquifer. Finally, the availability of seven emergency generators at various well locations ensures the City's ability to extract groundwater during extended power outages.

As discussed previously, the groundwater basin underlying the City is in overdraft, and groundwater levels are decreasing by approximately 0.39 ft/yr. From an extraction standpoint, however, this is a relatively slow process, and the City does not anticipate that overdrafting conditions will significantly impact its ability to extract groundwater in the short term. However, the City remains committed to eliminating the overdraft condition in the long term and has been an active participant in actions to accomplish this task. As a member of GBA, the City has participated in the development of regional groundwater recharge and conjunctive use programs intended to replenish Eastern San Joaquin County's groundwater basin and promote sustainability for the future. A copy of the GBA Groundwater Management Plan is included in Appendix F.

Recycled water supply for the City is considered to be very consistent. Indoor water consumption by the City's customers, which does not significantly fluctuate with climatic conditions like outdoor water use, is the source of the City's recycled water supply. As such, the amount of recycled water available to the City is not expected to fluctuate in the future; indeed, as the number of water and sewer connections increase, so too will the City's recycled water supply.

As a result of the relative consistency of the City's water supplies, there are no plans at this time to replace any of the City's supply sources with alternative sources. The City is part of a group of Eastern San Joaquin County water users negotiating a conjunctive use project with EBMUD. Recently, however, negotiations surrounding this project have stagnated. Although this project bears the possibility of increasing the City's future water supplies, for the purposes of this UWMP this potential supply is not reflected in Table 3-5.

CHAPTER 5: STEPS 3 AND 4 - DOCUMENTING DEMAND EFFECTS OF THE PROJECT

Background

From City records, the total water deliveries in 2004 were 17,011 AFY or 15.18 MGD and the population for the City was 61,325. The annual population growth rate has been estimated at 1.5% from 2004 to 2030. Also in 2004, water use per capita was 248 gpcd in comparison to 285 gpcd estimated in 1987. This is a citywide average that includes commercial, industrial, and public water use.

The Reynolds Ranch Project area currently consists of 220 acres of agricultural land and residences. The existing water source for the land within the Project area is primarily groundwater wells. The State of California has estimated that the regional average on-farm unit applied water use for irrigation in the San Joaquin region is 3.2 acre feet per acre.¹ The current agricultural irrigation practice within the project area is either fallow or a drip system, so actual water use is significantly less than the county average.

¹California Department of Water Resources, *California Water Plan Update 2005 Volume 3 – Regional Reports, Chapter 7, San Joaquin River Hydrologic Region* at pp. 7-14

Water Supply Considerations

The City has accepted 15,000 AFY as the demand that the groundwater basin can accept without experiencing significant draw down, based upon the City's current land area.

The 2005 UWMP states that as water meters are installed, it is expected that water use by those customers will decline and, by completion of the meter installation program, water use will decrease by about 15%. In addition, other conservation methods are being pursued by the City. For planning purposes, the reduction in annual demand of the existing customers will be approximately 2500 AFY by 2030.

Table 5-1 shows the projected demand in five-year increments, 2005 to 2030.

TABLE 5-1 DEMAND PROJECTIONS^a

YEAR	DEMAND (AFY)
2005	17,300
2010	18,600
2015	20,100
2020	21,600
2025	23,300
2030	25,100

a. Refer to Table 4-3 of UWMP

City records provide a Vacant Land Inventory based on the City's General Plan shown in Figure 2 on page 4. The Vacant Land Inventory indicates 1033.82 acres are vacant and that 3,237 dwelling units could be developed. The Vacant Land inventory includes the Westside/Southwest Gateway area. Using the general plan population factors, development of the Vacant Land would result in a population growth of about 8,154 persons. The required Water supply to serve the development of the Vacant Land would amount to 2265 AFY. This estimate does not include the Planned Residential Reserve Area of the General Plan. The water supply required to serve the Vacant Land is part of the projected water demand presented in UWMP Figure 4-1.

The City has accepted that 15,000 AFY is the safe yield the groundwater basin can provide without experiencing significant drawdown of the water table, based upon the City's current developed land area. The Reynold's Ranch Project will expand the size of the City, increasing its ability to draw on the basin as agricultural uses are disbanded within the incorporated City limits, the safe yield would increase by 374 acre-feet per year.

$$\begin{aligned}
 \text{Increase safe yield} &= \text{project area} * \text{safe yield factor} \\
 &= 220 \text{ acres} * 1.7 \\
 &= 374 \text{ acre-feet per year}
 \end{aligned}$$

The City has determined that the relationship of the area of the City to the safe yield be estimated at 1.70 acre-feet per acre. The average per acre relationship of the safe yield has been calculated to be approximately 1.95 acre-feet per acre per year. This calculation assumes the safe yield is uniform throughout the City. In practice, yields may vary throughout a region. For example, the groundwater safe yield in the Stockton area is 0.75 acre feet per acre per year which is 60% lower than the estimate for Lodi of 1.95 acre feet per acre per year. As the City of Lodi expands in land area, it is probable that the City's average safe yield will change. Therefore, for purposes of this WSA, the safe yield has been reduced for the newly annexed areas to 1.7 acre-feet per acre per year. Therefore, with annexation of the Reynold's Ranch project, the City of Lodi's safe yield of the groundwater basin will increase to 15,374 AFY. Even though the current City needs exceed this amount, the basin has not yet demonstrated significant degradation and is still able to meet the City's needs in the short term. Regardless, the proposed project would contribute to this overdraft.

With the firm supply of 21,000 AFY (15,000 AFY + 6,000 AFY) shown in the 2005 UWMP plus an additional 374 AFY from the expansion of the City, the following Table 5-2 illustrates the projected water supply for the City with the project. Note, the vacant land demand includes the Westside/SW Gateway project.

TABLE 5-2 WATER BALANCE CALCULATION (ALL NUMBERS ARE IN AFY)

Existing Water Demand	17,011
Less Metered Reduction of 15% (per UWMP)	(2,500)
Reynold's Ranch Water Demand*	501
Vacant Land Water Demand	2,265
TOTAL WATER DEMAND	17,277
Available Groundwater Supply (with annexation)	15,374
Available Surface Water Supply	6,000
TOTAL WATER SUPPLY	21,374
Available Reserve**	4,097

* See Table 5-3 for details

** Total Water Supply less Total Water Demand

The ongoing water metering program and implementation of a surface supply by the City will provide sufficient water to meet the projected needs of the City.

Table 5-2 above outlines the water balance for the City based on current use by existing development, projected demand by development of existing vacant land within the City and the additional demand generated by the development of the Project.

If development of vacant land is considered to occur over the planning period, the water demand resulting from development of the vacant land would be included in the overall demand calculations as presented in Table 5-2 and, therefore, demand would catch up to the supply by after 2019. The City would need to plan to provide additional firm water supplies to serve growth beyond 2019.

Other Water Supply Considerations

The above scenarios are based on a static available supply, which is not practical for two reasons. First, as noted in the 2005 UWMP, the City is already considering obtaining additional surface water supplies from Woodbridge Irrigation District. The City also retained Schlumberger Water Services to prepare a "Surface Water Supply Options" study in 2004 to determine how best to utilize the newly acquired surface water. Second, the calculation of safe yield for groundwater extraction of 15,000 AFY, contained in the Urban Water Management Plan and accepted by the City, was based upon Lodi's current usage less its proportion (based upon area) of the overall basin overdraft. Therefore, as the City's land area increases through annexations, the estimated safe yield of the aquifer will also increase. The City has determined that the per-acre relationship of the safe yield should be estimated at a conservative 1.70 acre-feet per acre.

The current contract with WID for 6,000 AFY also provides for carry over or banking of water not taken over the first seven years of the agreement not to exceed 18,000 acre feet. The City may take delivery of the banked water over the forty-year term of the agreement. The agreement also provides for later delivery of water if delivery is curtailed by dry years. The WID reports that in the past 16 years, their entitlement has only been curtailed in two years (back-to-back). (Anders Christensen, WID General Manager to Lodi City Council, June 21, 2006) The City's contract provides that curtailment amounts are "banked" on paper and are to be made up in wetter years. Thus, the impact of short-term increases in groundwater pumping will be mitigated. When the WID surface water supplies and banked water are added to the groundwater supplies, water supplies will be available for the projected planning period of 2005 to 2030 and beyond.

The improvements to implement the use of the surface water are included in the City's planning as well as consideration of other appropriations discussed in the Schlumberger report. While all routes to obtain new water sources need to be studied, they are not relevant to this Water Supply Assessment as the Contract with WID provides a firm water supply that the City has committed to utilize and will be available to provide supplemental water to meet project and other future demands through 2030.

The City has developed a comprehensive approach to address the groundwater overdraft problem; the City's 2005 Urban Water Management Plan identifies the following five strategies that are being implemented to resolve this shortcoming:

1. **Establishment of a Water Conservation Program**—The City has already established a Water Conservation Ordinance and a Water Conservation Rebate program that has shown reductions in demand. Continued implementations of these programs will reduce the current overdraft condition and will eventually develop surplus capacity that could be used to meet the needs of the project.
2. **Establishment of a Recycle Water System**—The City has developed a water reuse program and is treating water for reuse at the Wastewater treatment plant. Currently, this water is being distributed to area farmers, thereby reducing their groundwater and surface water demands and improving the overall regional water balance. Expansion of this program is being planned and the incorporation of recycled water for landscape areas and other acceptable uses will further reduce demand on the groundwater basin.
3. **Development of Groundwater Recharge Systems**—The City is looking into groundwater recharge systems. Such systems are not currently considered for the Reynolds Ranch project, although other developments around the City are including such systems to provide additional groundwater recharging, improving the city's water balance.
4. **Development of Surface Water Treatment**—The City has acquired an additional 6,000 AF of water rights from the Woodbridge Irrigation District. The City is

considering developing a water treatment plant to provide additional supply for the City consumers. This surface water could also be used as groundwater recharge supply as an alternative as outlined above.

5. **Development of Additional Water Wells**– Wells provide an efficient means of providing for peak day and peak hour water demands by providing a distributed water source system. Adding additional wells does not necessarily increase ground water usage, especially if those wells are used primarily to meet peak day, peak hour or emergency water demands. Alternately, implementation of additional storage may reduce the need for more peak wells.

Phase I of the proposed project is anticipated to be developed before 2010, which is when the 6,000 AFY of purchased water from WID is expected to be available for use. As such, prior to 2010 Phase I would rely on the groundwater basin for water supply. As described above, Phase I of the proposed project is projected to use 88 AFY of water per year, and the entire Reynolds Ranch Project is anticipated to require about 501 AFY of water annually.

Water conservation and water meter retrofit programs have been implemented by the City to reduce water demands within the community. These programs will continue and expand in the future. Recycled water use has been implemented at White Slough Water Pollution Control Facility to reduce agricultural demands on the groundwater basin. Expanded recycled water use programs are under study and will be implemented in the future. As presented in Table 5-2, the long-term water demands for the community will be served by a conjunctive supply program including groundwater, surface and conservation.

After 2010, full utilization of the water purchased from WID will reduce the City's draw on the groundwater basin to within safe yield levels, including the project's ultimate annual demand of 501 AFY.

Effect of the Reynolds Ranch Project

Based upon the planned land uses for the Reynolds Ranch Project shown in Table 1, on page 1, the estimated project demand was calculated using Standard demand rates as outlined in the Water Distribution Systems Handbook, by Larry W. Mays, McGraw-Hill 2000. Expected demand increase for the project has been calculated as 501 acre-feet per year. See Table 5-3.

TABLE 5-3 ESTIMATED WATER DEMAND – REYNOLD'S RANCH PROJECT

LAND USE TYPE	LAND USE AREA (ACRES)	DEMAND FACTOR (GALLONS PER DAY PER ACRE)	AVERAGE DAILY DEMAND (GALLONS PER DAY)
Commercial			
Mini Storage	5.3	2040	10,812
Commercial	40.5	2040	82,620
Subtotal	45.8		93,432
Office			
Office	20.1	2030	40,803
Subtotal	20.1		40,803
Residential			
LDR	20.6	1670	34,402
MDR	63.9	2610	166,779
HDR	12.1	4160	50,336
Subtotal	96.6		251,517
Parks/Open Space			
Detention Basin	8	2,020	16,160
Neighborhood Park	5.4	2,020	10,908
Open Space	7.3	0	0
Interchange	4.5	2,020	9,090
Subtotal	25.2		36,158
Public Facility			
Fire Station	1	1,700	1,700
Subtotal	1		1,700
Public Facility			
School (B-9)	14	1,700	23,800
Subtotal	14		23,800
Public Facility			
Roadway Row	17.3	0	0
Subtotal	17.3	0	0
TOTAL	220		447,410
ESTIMATED TOTAL			501 AFY

The Reynolds Ranch Project would have little effect on the City's water supply system. As shown above, based on the proposed land uses for the Project that includes commercial uses, the estimated Project demand would be an increase of 3% of the current water deliveries.

The safe yield for groundwater extraction outlined in the Urban Water Management Plan and accepted by the City is 15,000 AFY. Adding the Reynolds Ranch Project annexation and using a ratio of 1.70 as determined by the City may ultimately increase the safe yield to 15,374 AFY but the designated water supply for the project is surface water purchased from WID. Reynolds Ranch Project water demand will initially begin at zero and gradually increase to 501 AFY as the project is developed. The phased increase in demand will allow for the City to implement a program to use the surface water.

CONCLUSION AND RECOMMENDATIONS

- The current water supply of the City of Lodi is consistent, reliable, and meets all EPA quality requirements. The quantity is adequate for the projected growth as presented in the 2005 UWMP.
- Water supplies are available to serve the Reynolds Ranch Project in accordance with the requirements included in SB 610. The total available supply of 21,374 AFY exceeds the projected demand of 17,277 AFY.
- The Reynolds Ranch project will utilize ground water for interim supply by continuing to install wells to meet project demands. Long term, Reynolds Ranch water demands will be met using surface water purchased from WID.
- Surface water is available under the WID contract and will be developed independently by the City on the City's schedule.
- The City should continue the program to install water meters and to encourage water conservation.
- The City should pursue expansion of the recycled water program to include landscape areas, parks, and other acceptable uses.

At the time of preparation of this analysis, the City of Lodi is considering two annexations, the Reynold's Ranch project and the Westside/Southwest Gateway project. These projects are independent and will be considered for approval separately. Increasing the area of the City with the addition of both project areas also increases the City's proportion of the safe yield to 16,069 AFY.

If both projects are approved and using the information developed in the Reynold's Ranch and Westside/SW Gateway Water Supply Assessment, the water balance calculation would read as shown in Table 5-4 on the following page.

TABLE 5-4 WATER BALANCE CALCULATION (ALL NUMBERS ARE IN AFY)

Existing Water Demand	17,011
Less Metered Reduction of 15% (per UWMP)	(2,500)
Reynold's Ranch Water Demand**	501
Vacant Land Water Demand	1,378
Westside/SW Gateway Water Demand*	887
TOTAL WATER DEMAND	17,277
Available Groundwater Supply (with annexation)	15,000
Reynold's Ranch	374
Westside/SW Gateway	695
Available Surface Water Supply	6,000
TOTAL WATER SUPPLY	22,069
Available Reserve***	4,792

* See Westside/SW Gateway project WSA Table 5-3 for details

** See Table 5-3, for details.

*** Total Water Supply less Total Water Demand

With the Reynold's Ranch and Westside/SW Gateway projects, the water supply for single and multiple dry year conditions will exceed the projected demand.

Based upon the above analysis, the cumulative effect of the addition of both projects does not alter the conclusions and recommendations for each project.

CITY OF LODI

Westside-Southwest Gateway Project

A clear glass filled with water sits on a stack of papers. The background is blurred, showing what appears to be a desk or office setting. The lighting is soft, creating a professional and clean aesthetic.

Water Supply Assessment

July 2006

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INTRODUCTION

This Water Supply Assessment (WSA) is prepared in compliance with Senate Bill 610, effective January 1, 2002, for two developments proposed by Frontiers Community Builders. Each of the proposed developments meet the criteria defined in California Water Code, Section 10912, to be classified as a “Project” and are combined in this WSA as follows:

1. The Project proposes the development of two residential developments known as Lodi–Westside with 740 dwelling units, and Lodi-Southwest Gateway with 1,350 dwelling units for a total of 2,090 dwelling units.

A Notice of Preparation (NOP) as defined in CEQA was filed for both developments with the lead agency, City of Lodi, on September 16, 2005. Conceptual land use plans for the two developments, Lodi-Westside and Lodi-Southwest Gateway, hereinafter referred to as Westside/SW Gateway, are shown on Figures 1 and 2, respectively.

The proposed Project of Frontiers Community Builders consists of 409.5 acres of existing agricultural and residential use land to be developed into residential, public facility and open space uses as shown in Table 1.

TABLE 1 WESTSIDE PROJECT PLANNED LAND USES

LAND USE	LODI-WESTSIDE	
	ACREAGE	DWELLING UNITS
Residential	110.0	740
Retail/Commercial	0.0	0
Office	0.0	0
Public Facilities	15.3	0
Parks/Basins	20.0	0
Road ROW	6.44	0
TOTALS	151.74	740

SW GATEWAY PROJECT PLANNED LAND USES

LAND USE	LODI-SOUTHWEST	
	ACREAGE	DWELLING UNITS
Residential	200.0	1,350
Retail/Commercial	0.0	0
Office	0.0	0
Public Facilities	15.0	0
Parks/Basins	30.0	0
Road ROW	12.76	0
TOTALS	257.76	1,350

The total number of dwelling units for the Westside/SW Gateway Project would be 2,090, which results in an estimated population growth of 4,807.

The intended land uses satisfy the criteria of a Project and the need for a WSA. This WSA format follows the format in the “Draft Guidebook for Implementation of SB 610 & SB 221 of 2001” prepared by the California DWR.

The Guidebook for Implementation of SB-610 and SB-221 outlined the following Sections/Steps to be addressed in Water Supply Assessments:

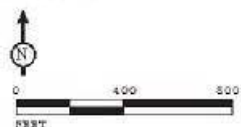
Section 1	Does SB-610 or SB-221 apply?
Section 2	Who will prepare the SB- 610 assessment?
Section 3	Has an assessment already been prepared that includes this project?
Section 4	Is there a current Urban Water Management Plan?
Section 5	What information should be included in an assessment?
	Step One: Documenting wholesale water supplies.
	Step Two: Documenting supply
	If groundwater is a source
	If assessment relies on sources never before used
	Step Three: Documenting project demand
	Detailing existing and planned future uses
	Step Four: Documenting dry year(s) supply for water suppliers
	with multiple sources
	Step Five: Documenting dry-year(s) demand
Section 6	Is the projected water supply sufficient or insufficient for the proposed project?
Section 7	NOT INCLUDED BECAUSE SUPPLY CONSIDERED SUFFICIENT
Section 8	Final action by lead agency. Conclusions included

Note—In this report, SB-221 does not apply since a subdivision map has not been submitted.



FIGURE III-6

LSA



SOURCE: DAHLIN GROUP, MARCH 2006.

[\\MOD531\wside\swgate\figure\fig_III6.mxd (3/9/06)]

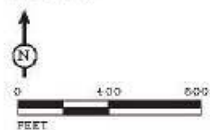
Lodi Annexation EIR
Conceptual Site Plan
for Westside Project

FIGURE 1
LODI GENERAL PLAN
WATER SUPPLY ASSESSMENT



FIGURE III-10

LSA



LEGEND



ONE ACRE OF THIS PARK
MAY BE USED FOR A
FUTURE FIRE STATION

SOURCE: DAHLIN GROUP, MARCH 2006.

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Lodi Annexation EIR
Conceptual Site Plan for
Southwest Gateway Project

**FIGURE 2
LODI GENERAL PLAN
WATER SUPPLY ASSESSMENT**

SB 610 - SECTIONS 1 THROUGH 4: SUPPLY ASSESSMENT PROCESS**(Sections 1 through 4 determine preparation of a WSA)**

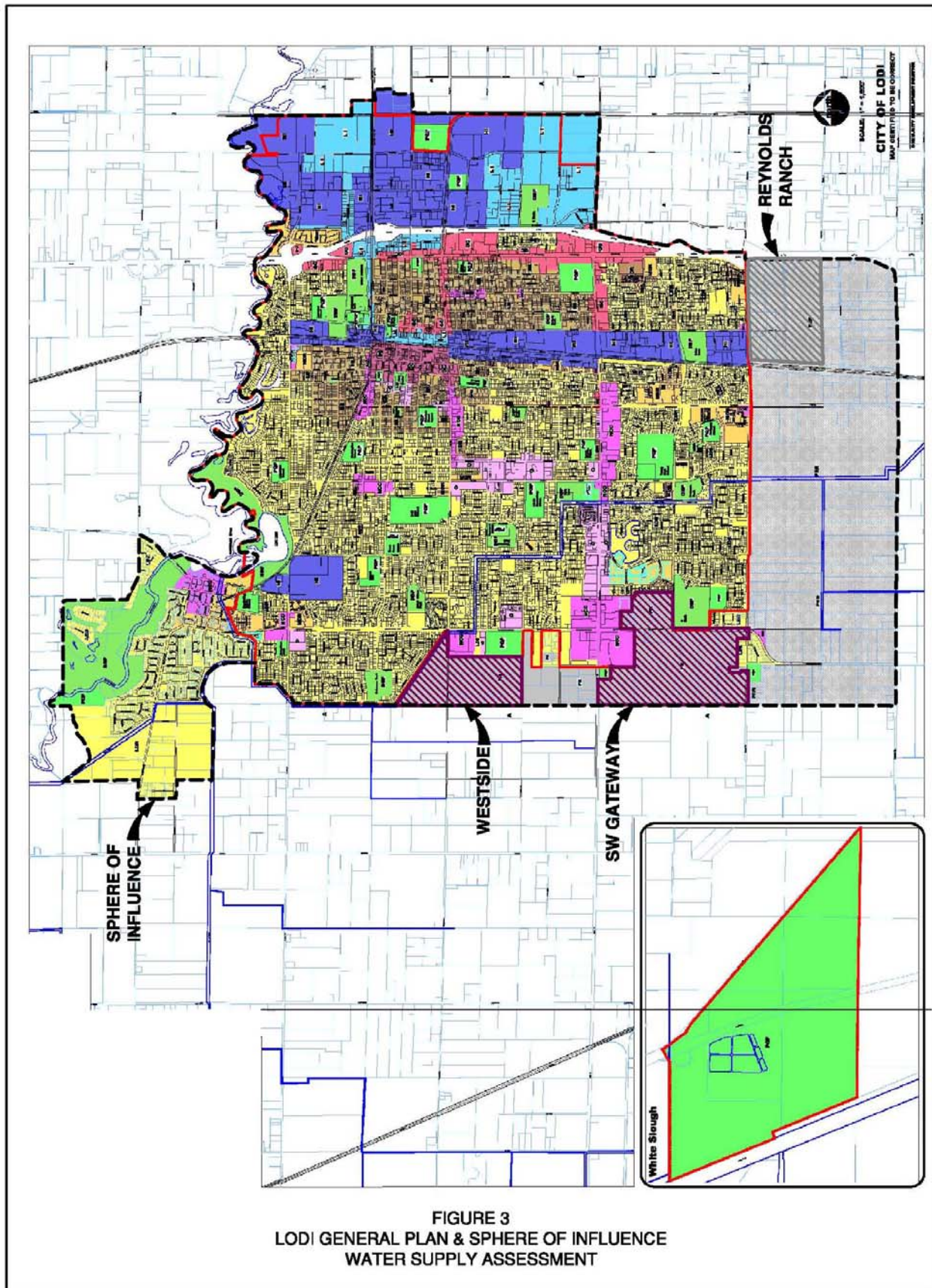
- The Project is subject to SB-610 because it proposes the development of 2,090 dwelling units.
- The Project is not subject to SB-221 because a subdivision map has not been submitted to the City.
- The City is the “water supplier” for the Project.
- The Project has not been the subject of a WSA.
- The City adopted an Urban Water Management Plan (UWMP) in 1990 and updated the Plan in 1995 and in 2005.

The Project is in the initial planning stages and no subdivision maps have been prepared for the property. Therefore, the Project is not subject to SB-221.

The City of Lodi provides water service to the existing developed area. The Project is not within the city limits but both developments are contiguous to the city limit on the west side so that the distance for any extension of service would be short. Although currently outside the city limits, the project area is within the City’s sphere of influence, has been considered in the City’s planning and is included within the recently adopted Urban Water Management Plan. In Figure 3, the City General Plan and Sphere of Influence boundaries are shown along with the boundary of the Westside/SW Gateway and Reynold’s Ranch projects.

This WSA addresses the California Water Code pertaining to the preparation of WSAs and is strictly an assessment of the City’s ability to provide water service to the Project. This WSA does not constitute an agreement to serve water to the Lodi-Westside or the Lodi-Southwest Gateway projects.

As noted above, the City adopted an Urban Water Management Plan in 1990 and updated the plan in 1995 and in 2005. Much of the information included herein was presented in the 2005 UWMP and is referenced or excerpted throughout this report.



SECTION 5: SUPPLY AND DEMAND DOCUMENTATION

A. WATER SUPPLIES

The City adopted a Master Water Plan in 1987 for a 20-year period. The Plan indicated that the water supply was from groundwater provided at that time by 21 out of 24 wells. At that time, Well 12 was out of service due to potential contamination from gasoline but the problem was not expected to require replacement of the well. Also Wells 3 and 11 were out of service due to potential contamination by diobromochloropropane (DBCP), a commonly used fumigant and nematocide that had been identified as a potential contaminant in some of the water system wells at the time. The Plan stated that six wells were equipped with standby power and five wells had permanent chlorination equipment.

The 1987 Master Water Plan indicated that the City considered non-treatment and treatment methods to resolve the DBCP condition. Non-treatment alternatives considered were well replacement, well rehabilitation and blending with good quality groundwater. Treatment alternatives of air stripping, granular activated carbon absorption, ultraviolet irradiation with ozonation and ultraviolet irradiation with hydrogen peroxide were considered.

Currently the City still relies upon groundwater as its sole source of supply, however, in 2003 a contract for a surface water supply was executed with the Woodbridge Irrigation District that will be implemented in the near future. As indicated in the 2005 UWMP, the City water utility operates 26 wells. All wells are equipped to provide emergency chlorination and seven wells are equipped with granular activated carbon for removal of DBCP. Standby power has also been installed in seven wells and is readily available in the event of a power outage.

Table 2 identifies the type of the City's water source and whether it is by water right or by service contract and if the source of supply has been used.

TABLE 2 ANNUAL POTABLE WATER SUPPLY SOURCES

SUPPLY	QUANTITY (AFY)	WATER SUPPLY TYPE	EVER USED
Groundwater*	Well Capacity**	Appropriative Right*	Yes
WID Surface Water***	6,000	Contract	No

* The City currently uses groundwater as its sole source of supply. The City overlies a portion of the San Joaquin Valley groundwater basin, which is not currently adjudicated. As a municipal pumper, Lodi's water right is considered an appropriative right.

** The City/Utility operates 26 groundwater production wells. The 26 wells that currently provide water to the City have a combined capacity of 35,210 gallons per minute (GPM) or 50.7 million gallons per day (MGD).

*** The City recently entered into an agreement with Woodbridge Irrigation District (WID) to purchase 6,000 acre-feet per year (AFY) of surface water for a period of 40 years. (Source: 2005 UWMP)

As noted in the UWMP, the City has no additional water projects currently under development and has little or no opportunity for traditional transfers or exchanges. However, a recent contract with Woodbridge Irrigation District to divert 6,000 AFY of surface water supplies to the City is in place and the City is considering how this resource would be most effectively utilized. Development plans and project construction will proceed once the City Council has selected a resource utilization strategy. In addition, the City is actively seeking additional water supplies and has several potential programs under consideration.

B. STEP 1. DOCUMENTATION OF WHOLESALE WATER SUPPLIES

As noted above, the City currently uses groundwater supplies solely for its potable water; however, on May 13, 2003 the City executed an agreement with the Woodbridge Irrigation District to purchase 6000 AFY of surface water for a period of 40 years. The Agreement provides for an extension of the agreement for forty years and for banking water not used for three years up to 18,000 AF. The City plans to start using this water supply in 2010.

C. STEP 2. DOCUMENTATION OF GROUNDWATER SUPPLIES

The City currently uses groundwater as its sole source of supply. The city delivered an average of 15.19 MGD in 2004. The average day demand from 1995 to 2004 was 14.94 MGD and the maximum day demand was 28.62 MGD, which provides a ratio of 1.91 as a peaking factor that can be used to scale annual demand projections to maximum day demands. To meet these demands, there are currently 26 production wells in operation, which have a capacity of 35,210 gallons per minute or 50.7 million gallons per day (MGD).

At first glance, the City would appear to have an excessively large number of wells. However, the City has long pursued a strategy of using wells to meet peak flow and fire flow demands. By doing so, the City has been able to reduce the pipe size of the water distribution system and negate the need for surface water storage. Ratepayers have benefited with reduced infrastructure and maintenance costs. The reliance on ground water for peak flows is likely to remain a standard strategy as the large ground water basin size and recharge rates are such that the impact of short term high draws are negligible.

D. GROUNDWATER SUPPLY PROJECTIONS

1. Groundwater Assessment

Excerpts from Chapter 3 of the City's 2005 UMWP: 3.2.2 Future Groundwater Supply.

The continuing decline of groundwater levels in the aquifer underlying the City means that the sustainable annual groundwater supply available to the City is something less than what is currently extracted. As a member agency of GBA, the City is participating in the development of policies and programs, including groundwater recharge and conjunctive use programs, intended to help eliminate the

eastern San Joaquin County groundwater basin overdraft condition. Additionally, the City plans to reduce its overall groundwater pumping in the future. A safe yield of approximately 15,000 AFY (Treadwell and Rollo 2005) has been estimated for the aquifer serving Lodi based on water balance calculations (see Appendix G) performed using data primarily from the Eastern San Joaquin Groundwater Management Plan (Appendix F). This safe yield estimate reflects an acreage-based relationship. Therefore, as the City's land area increases, the estimated safe yield of the underlying aquifer will likely increase. The safe yield estimate will be revisited in the 2010 UWMP update. For the purposes of this UWMP, 15,000 AFY has been assumed as the amount of groundwater available during all future (post-2005) years. Although rigorous scientific analyses have not been performed, the City projects that some recharge of the groundwater basin will occur as the amount of groundwater pumped annually decreases. This result, however, is contingent on the cooperative efforts of all groundwater users within the basin, including other cities, agriculture, and private well owners, to reduce groundwater extraction. The City does not expect development of cones depression, significant changes in direction or amount of groundwater flow, changes in the movement or levels of contaminants, or changes in salinity and/or total dissolved solids (TDS) concentrations. The amount of groundwater that is projected to be pumped over the next 25 years is presented in Table 3-4.

TABLE 3-4 PROJECTED GROUNDWATER PUMPING (Guidebook Table 7)

	2005	2010	2015	2020	2025	2030
Annual Volume, (AFY)	17,300	15,000	15,000	15,000	15,000	15,000
Percent of Total Available Supply ^a	57%	52%	51%	50%	49%	48%

a. Refers to the total supplies shown in Table 3-5.

E. SURFACE WATER SUPPLY PROJECTIONS

3.2.3 Future Surface Water Supply (2005 UWMP excerpt)

As discussed in Section 3.1.4, in May 2003 the City entered into a 40-year agreement with WID for 6,000 AFY of surface water from the Mokelumne River. The diversion point has not yet been determined. The City is considering options for implementing this source before 2010. Therefore, 6,000 AFY of treated surface water is included in the supply projections presented in Table 3-5 below. The City is also considering the possibility of purchasing additional surface water supplies from WID; these supplies are not included in Table 3-5, however, as they are not considered "firm" supplies. (Note: The Agreement with WID is renewable for an additional 40 years, for a total of 80 years. The City Council is currently reviewing groundwater options for utilizing the surface water to serve current and future water demands.)

F. TOTAL GROUNDWATER AND SURFACE WATER PROJECTION

TABLE 3-5

CURRENT AND PLANNED WATER SUPPLIES (Guidebook Table 4)

SOURCE (AFY)	2005	2010	2015	2020	2025	2030
Groundwater ^a , AFY	17,300	15,000	15,000	15,000	15,000	15,000
WID Surface Water, AFY	6,000	6,000	6,000	6,000	6,000	6,000
Recycled Water ^b , AFY	7,200	7,700	8,300	8,940	9,630	10,380
TOTAL^c, AFY	30,500	28,700	29,300	29,900	30,600	31,400

a. Refer to Section 3.2.2 for more information

b. Based upon the amount of wastewater treated during 2004, according to City staff. Future recycled water supplies are extrapolated from the 2004 amount. Assumes the permitted capacity of WSWPCF will be increased as necessary.

c. Rounded to nearest hundred.

Source: 2005 UWMP

SECTION 6: DEMAND (GUIDEBOOK STEPS 3 AND 4)

For the 2005 UWMP, records of historical water production were obtained from the City's Public Works Department. The records included both maximum day and annual water production records. Water production is the volume of water measured at the source and includes all water delivered to residential, commercial, and public connections and also includes unaccounted-for water. The records are available from 1970 at the Department of Public Works.

EXCERPTED from the 2005 UWMP to provide the data outlined in Step 3, Detailing Existing and Planned Future Uses, as presented in the Guidebook for Implementation of SB 610, are pages 2-1 to 2-3, pages 3-1 to 3-8, and pages 4-1 to 4-7 with sections entitled:

Chapter 2 Supplier Service Area

- 2.1 Service Area Description
- 2.2 Climate
- 2.3 Other Demographic Factors
- 2.4 Population Projections

Chapter 3 Water Supply

- 3.1 Current Water Supply
 - 3.1.1 Background
 - 3.1.2 Water Supply Facilities
 - 3.1.3 Current Groundwater Supply
 - 3.1.4 Current Surface Water Supply
 - 3.1.5 Current Recycled Water Supply
 - 3.1.6 Water Distribution System
- 3.2 Future Water Supply
 - 3.2.1 Constraints on Existing Supplies
 - 3.2.2 Future Groundwater Supply
 - 3.2.3 Future Surface Water Supply
 - 3.2.4 Future Recycled Water Supply
 - 3.2.5 Planned Water Supply Projects
- 3.3 Exchange or Transfer Opportunities
- 3.4 Desalinated Water
- 3.5 Wholesale Supplies

Chapter 4 Water Demand

- 4.1 Past, Current, and Projected Water Demand
 - 4.1.1 Past and Current Demand
 - 4.1.2 Future Water Demand
- 4.2 Sales to Other Agencies
- 4.3 Other Demands
- 4.4 Total Demands

The aforementioned EXCERPTS are as follows:

CHAPTER 2. SUPPLIER SERVICE AREA

2.1 Service Area Description

The City is located in the Northern San Joaquin Valley in San Joaquin County and borders the Mokelumne River. The bulk of the City's geographical area extends from the Mokelumne River on the north, WID South Main Canal and Lower Sacramento Road on the west, Harney Lane on the south, and portions of Highway 99 and Central California Traction (CCT) Railroad on the east. The City's White Slough Water Pollution Control Facility (WSWPCF) lies approximately six miles to the southwest of the City. The City has an estimated 2005 population of 62,467 (California Department of Finance, 2005).

The City of Lodi Water Utility (Utility) is the sole water purveyor for the City of Lodi. The Utility's service area is contiguous with the City boundaries and covers approximately 12 square miles. There are a few minor connections outside the City. The service area includes a mix of residential, commercial, and industrial land use, and is characterized by essentially flat terrain. All future development being considered for the City is expected to occur within the present service area.

2.2 Climate

The City has cool, humid winters, and hot, dry summers. Temperatures average 60 °F annually, ranging from average winter morning lows in the upper 30's to average summer afternoon highs in the upper 80's (Western Regional Climate Center, 2005). Relative humidity ranges from 91 percent in winter months to 26 percent in summer months. During summer months, temperatures may exceed 100 °F, impacting water demands significantly. Annual rainfall averages approximately 18 inches, with most rainfall occurring between November and April. The combination of warmer temperatures and low precipitation during the summer results in peak water demands during that period. Reference evapotranspiration (ET_o) values, which serve as indicators of how much water is required to maintain healthy agriculture and landscaping, range from 0.93 inches during December to 8.06 inches in July. Temperature, rainfall and evapotranspiration averages for the City are presented in Table 2-1.

TABLE 2-1 SERVICE AREA CLIMATE (Guidebook Table 3)^a

MONTH	JAN	FEB	MARCH	APRIL	MAY	JUNE
Average ET _o ^b (in)	1.24	1.96	3.41	5.10	6.82	7.80
Average Rainfall ^c (in)	3.47	2.95	2.60	1.35	0.49	0.13
Average Temperature ^c (F)	45.65	50.40	54.15	58.90	64.90	70.30

TABLE 2-1 SERVICE AREA CLIMATE Continued (Guidebook Table 3)^a

MONTH	JULY	AUG	SEPT	OCT	NOV	DEC	ANNUAL
Avg ET _o ^b (in)	8.06	7.13	5.40	3.72	1.80	0.93	54.3
Avg Rainfall ^c (in)	0.04	0.05	0.30	0.93	2.29	3.03	17.63
Avg Temp ^c (F)	73.70	72.70	69.95	62.60	52.55	45.65	60.12

- a. The term "Guidebook X" refers to the table in the Guidebook to Assist Water Suppliers in the Preparation of a 2005 Urban Water Management Plan by DWR.
b. California Irrigation Management Information System (CIMIS).
c. Western Regional Climate Center.

2.3 Other Demographic Factors

Lodi is built on a strong and broad based agricultural industry with national and industrial markets for its commodities and products. Wines, processed foods, nuts, fruit and milk are major commodities of the Lodi area and provide the basic material for food processing and packaging. These commodities support the operations of General Mills and Pacific Coast Producers, three (actually two) companies in the business of processing local agricultural commodities. In addition, Lodi has a wide range of small, financially sound businesses. These companies range in size from 10 to 150 employees and produce a wide variety of products, services, and commodities.

Recently, there has been an increase in industrial and residential development within the City. This new development, combined with the growing strength of the wine/grape industry, is a positive economic indicator for Lodi. These industries collectively have created approximately 850 new jobs.

The demographic factors affecting the City's water supply management planning include data on the largest customers, including those listed in Table 2-2 below.

TABLE 2-2 LARGE WATER CUSTOMERS

CUSTOMER	2004 WATER USE MG	% OF TOTAL SYSTEM
Lodi Unified School District	150,703,608	2.7
Pacific Coast Producers	130,632,769	2.4
City of Lodi (incl. parks)	113,024,617	2.0
General Mills	69,261,284	1.2
Cottage Bakery	35,077,460	0.6
Lodi Memorial Hospital	28,502,316	0.5
Certainfeed	7,763,492	0.1
Valley Industries	8,334,291	0.2
Wine & Roses	8,371,534	0.2
Miller Packing Co.	8,442,676	0.2
TOTAL	560,114,047	10.1%

2.4 Population Projections

Currently, the City's population is approximately 62,467. Based on the City's assumed annual population growth rate of 1.5 percent, which was presented in the Lodi Wastewater Master Plan (West Yost & Associates, 2001) and reaffirmed during discussions with City staff, population in 2030 is expected to be approximately 90,636. Population projections from 2005 to 2030 are presented in Table 2-3 below. In addition, Table 2-3 presents population projections based on population growth rates of 1 percent and 2 percent; the population projections for these growth rates are provided for comparative purposes only.

TABLE 2-3 CURRENT AND PROJECTED POPULATION (Guidebook Table 2)

POPULATION GROWTH RATE ^b	SERVICE AREA POPULATION					
	2005 ^a	2010	2015	2020	2025	2030
1.00%	62,467	65,653	69,002	72,522	76,222	80,110
1.50%	62,467	67,295	72,496	78,098	84,134	90,636
2.00%	62,467	68,969	76,147	84,072	92,823	102,484

a. California Department of Finance (DoF).

b. For the purposes of this UWMP, the City has assumed an annual population growth rate of 1.5 percent, used in previous reports (e.g., Wastewater Master Plan) for facilities planning. Growth rates of 1 and 2 percent are shown here for comparative purposes only.

As an additional comparison, the City's existing (1991) General Plan estimated the City's population for 2007 at 71,944 (not including the Planned Residential Reserve area), and 96,589 (including the Planned Residential Reserve area). The higher population estimates presented in the existing General Plan reflect a 1987-2007 growth rate of 2.0 percent.

CHAPTER 3. WATER SUPPLY

3.1 Current Water Supply

3.1.1 Background

The City currently uses groundwater as its sole source of supply. The City overlies a portion of the San Joaquin Valley groundwater basin, which is not currently adjudicated. The groundwater in the Lodi area exists under unconfined and semi-confined conditions. The Mehrten Formation is the most productive fresh water-bearing unit.

The City is located within the geomorphic province known as the Central Valley, which is divided into the Sacramento Valley and the San Joaquin Valley. The Central Valley is a large, northwestward-trending, asymmetric structural trough that has been filled with several miles of thick sediment (USGS 1986). The City lies within the San Joaquin Hydrologic Basin (DWR, Bulletin 118) that straddles portions of both the Sacramento and San Joaquin Valleys. Sediments of the San Joaquin Valley consist of

interlayered gravel, sand, silt, and clay derived from the adjacent mountains and deposited in alluvial-fan, floodplain, flood-basin, lacustrine, and marsh environments. Hydrogeologic units in the San Joaquin Basin include both consolidated rocks and unconsolidated deposits. The consolidated rocks include 1) the Victor Formation, 2) the Laguna Formation, and 3) the Mehrten Formation. The consolidated rocks generally yield small quantities of water to wells except for the Mehrten Formation, which is an important aquifer (DWR). The unconsolidated deposits include 1) continental deposits, 2) lacustrine and marsh deposits, 3) older alluvium, 4) younger alluvium, and 5) flood-basin deposits. The continental deposits and older alluvium are the main water-yielding units in the unconsolidated deposits.

Groundwater flow direction is generally toward the south in agreement with the regional groundwater flow gradient but may vary from south-southwest to south-southeast with local gradients likely influenced by pumping from municipal supply wells. Pumping tests on municipal wells indicate that they possess a large capture zone, and thus have a large influence upon groundwater flow.

Pumping of municipal supply wells in the City is performed between 100 and 500 feet below ground surface (Geomatrix, 2006).

DWR has declared that the groundwater basin underlying Eastern San Joaquin County is overdrafted, and groundwater levels in the County and the City are generally decreasing. The groundwater levels also fluctuate over time depending on precipitation, aquifer recharge, and pumping

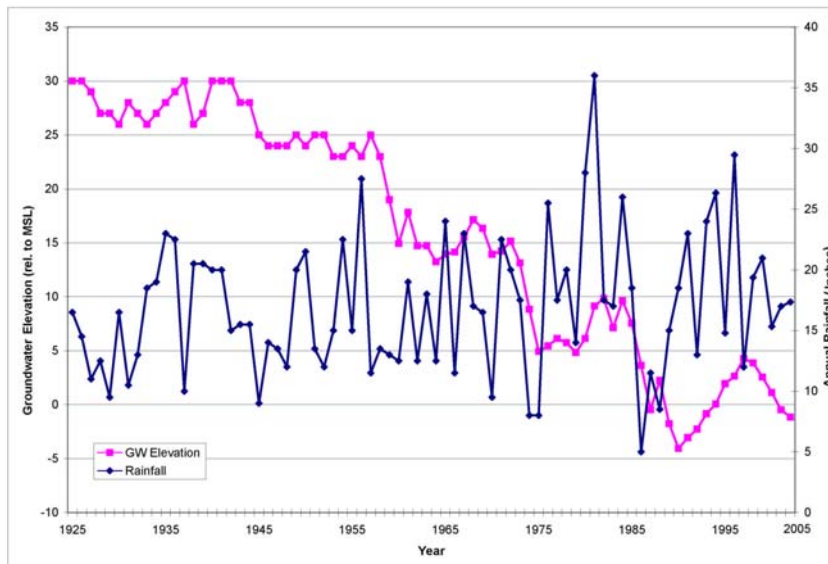


FIGURE 3-0: HISTORICAL GROUNDWATER ELEVATION

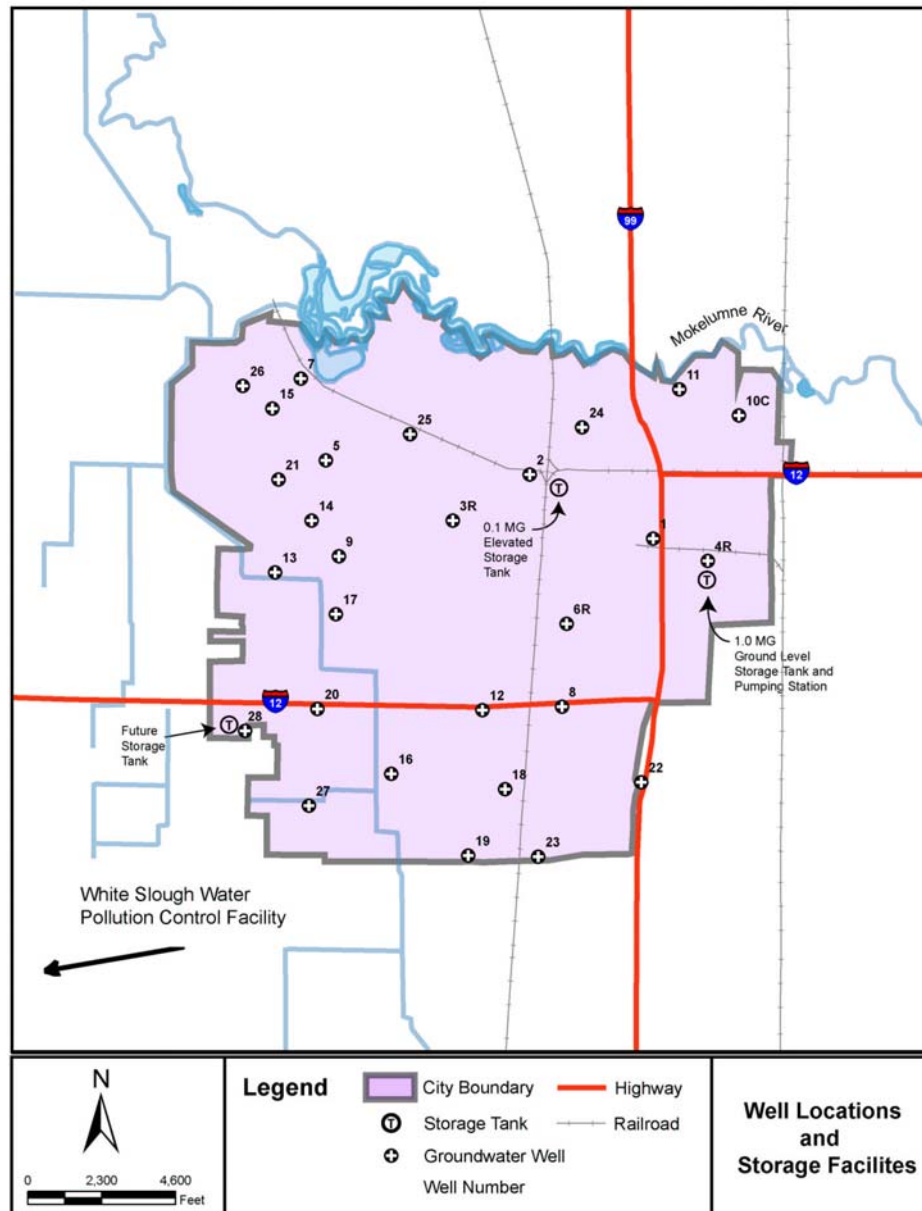
Source: City of Lodi Public Works Department

demands. Groundwater elevations relative to mean sea level (MSL), and the corresponding annual precipitation from 1927 through 2004 are shown in Figure 3-0. Overall, the average annual decrease in groundwater levels from 1927 to 2004 has been 0.39 feet per year. Generally, groundwater elevations have decreased with the increase in population and water production. However, annual rainfall also influences groundwater elevation. The groundwater level increase from 1981 to 1984 can be partially attributed to the increase in annual rainfall from 1981 to 1983. Groundwater elevations for the years 1927 to 1961 were obtained from East Bay Municipal Utilities District (EBMUD) for the City's 12 square mile area. Groundwater elevation data from 1962 to the present were obtained from the City's Public Works Department for Well No. 2, one of the oldest production wells in the City.

3.1.2 Water Supply Facilities

The Utility operates 26 groundwater production wells. The locations of the wells are presented in Figure 3-2 and discussed in further detail below.

FIGURE 3-2: WELL LOCATIONS AND STORAGE FACILITIES



3.1.3 Current Groundwater Supply

The 26 wells that currently provide water to the City have a combined capacity of 35,210 gallons per minute (gpm), or 50.7 million gallons per day (mgd). The wells operate automatically on water pressure demand and pump directly into the distribution system. All wells are equipped to provide emergency chlorination as

needed. Historically, water has not required chlorination. Six wells are equipped with granular activated carbon (GAC) for the removal of diobromochloropropane (DBCP). Capacity information for the existing wells is summarized in Table 3-1.

TABLE 3-1 GROUNDWATER WELL CAPACITY

WELL NUMBER	WELL CAPACITY, GPM ^b	WELL CAPACITY, MGD ^c
1R	1,130	1.6
2	820	1.2
3R	820	1.2
4R ^a	1,960	2.8
5	1,180	1.7
6R	1,580	2.3
7	1,160	1.7
8	800	1.2
9	900	1.3
10C	1,300	1.9
11R	1,320	1.9
12	800	1.2
13	1,150	1.7
14	1,670	2.4
15	1,500	2.2
16 ^a	1,110	1.6
17	1,800	2.6
18 ^a	1,800	2.6
19	1,110	1.6
20 ^a	2,070	3.0
21	2,050	3.0
22 ^a	1,400	2.0
23 ^a	1,410	2.0
24	1,420	2.0
25	1,580	2.3
26	1,370	2.0
TOTAL	35,210	50.7

- a. Wells equipped with GAC
b. gpm = gallons per minute
c. mgd = million gallons per day

Table 3-2 presents the amounts of groundwater extracted by the City between 1970 and 2004.

TABLE 3-2 HISTORICAL GROUNDWATER PRODUCTION (Guidebook Table 5)^a

YEAR	GROUNDWATER PRODUCTION, AF	% OF TOTAL WATER SUPPLY
1970	11,462	100%
1971	12,303	100%
1972	11,686	100%
1973	12,204	100%
1974	12,002	100%
1975	12,294	100%
1976	13,607	100%
1977	10,578	100%
1978	11,477	100%
1979	12,349	100%
1980	12,312	100%
1981	12,487	100%
1982	11,560	100%
1983	11,539	100%
1984	13,997	100%
1985	14,813	100%
1986	15,080	100%
1987	15,304	100%
1988	15,359	100%
1989	14,653	100%
1990	15,387	100%
1991	13,313	100%
1992	13,985	100%
1993	14,013	100%
1994	14,301	100%
1995	14,390	100%
1996	15,102	100%
1997	16,330	100%
1998	14,461	100%
1999	16,588	100%
2000	16,724	100%
2001	17,108	100%
2002	16,641	100%
2003	16,185	100%
2004	17,011	100%

a. The term "Guidebook X" refers to the table in the Guidebook to Assist Water Suppliers in the Preparation of a 2005 Urban Water Management Plan by DWR.

3.1.4 Current Surface Water Supply

In May 2003, the City entered into an agreement with Woodbridge Irrigation District (WID) to purchase 6,000 acre-feet per year (AFY) of surface water for a period of 40 years. However, at the time this UWMP was prepared, the City had not yet begun using water from this supply. A copy of the City's Agreement with WID is included in Appendix D.

3.1.5 Current Recycled Water Supply

The City's wastewater discharge permit requires an agronomic application rate. According to discussions with City staff, approximately 2,500 AFY of secondary treated recycled water is currently used, primarily for irrigation in the area surrounding WSWPCF. This represents approximately 35 percent of the total treated wastewater produced at WSWPCF. The City discharges the non-irrigation water, treated to Title 22 tertiary standards, to the Delta. The Utility currently lacks the necessary infrastructure to distribute additional recycled water to more of its customers.

For a more detailed discussion of the City's recycled water supply, as well as the processes by which it is treated, refer to Chapter 8.

3.1.6 Water Distribution System

The City of Lodi's distribution system consists of a 100,000 gallon elevated storage tank, a 1 million gallon (MG) storage facility and pumping station, and the piping system. The 1 MG storage tank, located east of Highway 99 on Thurman Street, stores groundwater from an onsite well to meet peak hour demands and fire flows. The 100,000 gallon elevated storage tank is located on North Main Street. The storage facilities and their capacities are presented in Table 3-3. Their locations are shown in Figure 3-2.

TABLE 3-3 WATER STORAGE FACILITIES

STORAGE FACILITY	STORAGE VOLUME, MG
Elevated Tank Storage	0.10
Ground Level Storage Tank	1.00
TOTAL	1.10

Distribution mains in the City's piping system range from 14 inches to 2 inches in diameter, and the entire distribution system consists of approximately 225 miles of pipe. The City is in the process of replacing the 2-inch and 3-inch diameter mains as well as other deficient pipes.

A summary of the City's current and planned water supplies is presented in Table 3-5.

3.2 Future Water Supply

3.2.1 Constraints on Existing Supplies

The City's current water supply system is constrained by 1) the pumping capacity of its currently active wells, and 2) a longer-term reduction in supply due to the overdrafting currently taking place in the City's groundwater basin. Although the declining groundwater basin is a result of groundwater extraction by all groundwater pumpers in the area, including other cities, agriculture, private well owners, and the City itself, the City plans to reduce its groundwater pumping in the long term as part of what will have to be a regional effort to stabilize the groundwater basin. A copy of the GBA Groundwater Management Plan is included in Appendix F.

3.2.2 Future Groundwater Supply

The continuing decline of groundwater levels in the aquifer underlying the City means that the sustainable annual groundwater supply available to the City is something less than what is currently extracted. As a member agency of GBA, the City is participating in the development of policies and programs, including groundwater recharge and conjunctive use programs, intended to help eliminate the eastern San Joaquin County groundwater basin overdraft condition. Additionally, the City plans to reduce its overall groundwater pumping in the future. A safe yield of approximately 15,000 AFY (Treadwell and Rollo, 2005) has been estimated for the aquifer serving Lodi based on water balance calculations (see Appendix G) performed using data primarily from the Eastern San Joaquin Groundwater Management Plan (Appendix F). This safe yield estimate reflects an acreage-based relationship. Therefore, as the City's land area increases, the estimated safe yield of the underlying aquifer will likely increase. The safe yield estimate will be revisited in the 2010 UWMP update. For the purposes of this UWMP, 15,000 AFY has been assumed as the amount of groundwater available during all future (post-2005) years. Although rigorous scientific analyses have not been performed, the City projects that some recharge of the groundwater basin will occur as the amount of groundwater pumped annually decreases. This result, however, is contingent on the cooperative efforts of all groundwater users within the basin, including other cities, agriculture, and private well owners, to reduce groundwater extraction. The City does not expect development of cones of depression, significant changes in direction or amount of groundwater flow, changes in the movement or levels of contaminants, or changes in salinity and/or total dissolved solids (TDS) concentrations. The amount of groundwater that is projected to be pumped over the next 25 years is presented in Table 3-4.

TABLE 3-4 PROJECTED GROUNDWATER PUMPING (Guidebook Table 7)

YEAR	2005	2010	2015	2020	2025	2030
Annual Volume, AF	17,300	15,000	15,000	15,000	15,000	15,000
% of Total Available Supply ^a	57%	52%	51%	50%	49%	48%

a. Refers to the total supplies shown in Table 3-5.

3.2.3 Future Surface Water Supply

As discussed in Section 3.1.4 in May 2003 the City entered into a 40-year agreement with WID for 6,000 AFY of surface water from the Mokelumne River. The diversion point has not yet been determined. The City is considering options for implementing this source before 2010. Therefore, 6,000 AFY of treated surface water is included in the supply projections presented in Table 3-5 below. The City is also considering the possibility of obtaining additional surface water supplies from WID; these supplies are not included in Table 3-5, however, as they are not yet considered “firm” supplies.

3.2.4 Future Recycled Water Supply

As discussed in Section 3.1.5, the City currently treats approximately 7,200 AFY of wastewater at WSWPCF, of which 2,500 AFY is recycled in the vicinity of WSWPCF. WSWPCF has adequate capacity to treat all wastewater flows to Title 22 standards. The City is in the process of developing a Recycled Water Master Plan (RWMP) that will outline additional distribution of this supply to the Utility’s customers. For the purposes of this UWMP, all treated wastewater produced at WSWPCF has been treated as recycled water supply and is included in Table 3-5 below. The amount of recycled water available increases with time, because as the City’s population increases, the amount of wastewater available for reclamation will also increase. For a more detailed discussion of recycled water supply projections, refer to Section 8.6.

TABLE 3-5

CURRENT AND PLANNED WATER SUPPLIES (Guidebook Table 4)

SOURCE (AFY)	2005	2010	2015	2020	2025	2030
Groundwater ^a , AFY	17,300	15,000	15,000	15,000	15,000	15,000
WID Surface Water, AFY	6,000	6,000	6,000	6,000	6,000	6,000
Recycled Water ^b , AFY	7,200	7,700	8,300	8,940	9,630	10,380
TOTAL^c, AFY	30,500	28,700	29,300	29,900	30,600	31,400

a. Refer to Section 3.2.2 for more information.

b. Based on the amount of wastewater treated during 2004, according to City staff. Future recycled water supplies are extrapolated from the 2004 amount. Assumes that the permitted capacity of WSWPCF will be increased as necessary.

c. Rounded to nearest hundred.

3.2.5 Planned Water Supply Projects

At the present time the City does not have approved plans for any additional water supply projects. The City has participated in the Mokelumne River Regional Water Storage and Conjunctive Use (MORE WATER) Feasibility Analysis. The MORE WATER project, if approved, would capture unappropriated flows from the Mokelumne River for storage and beneficial use.

3.3 Exchange or Transfer Opportunities

The City does not currently have any approved plans to pursue exchange or transfer opportunities.

3.4 Desalinated Water

At the present time the City does not foresee any opportunities for the use of desalinated water, which includes ocean water, brackish ocean water, and brackish groundwater, as long-term supplies.

3.5 Wholesale Supplies

Since surface water will be purchased from WID, WID is considered a wholesale water supplier by DWR. As such, the City has provided demand projections to WID for the next 25 years. Similarly, the City has received availability projections from WID for the same time period. These demand and availability projections are presented in Table 3-6 and Table 3-7 below. As discussed previously, the City has not yet begun to use this water supply. As stated in the City's contract with WID, any water not taken by the City during the first three years of the contract (May 2003 to May 2006) may be "banked" and delivered to the City in subsequent years, provided WID has sufficient water available. The banked supply may not exceed 18,000 AF. To date, over 16,000 AF of water has been banked. The City has not made any formal plans at this time to use any of its banked supply, in addition to the normal 6,000 AFY, for any of the years shown in the tables below. However, the projected supplies and demands shown below may increase if and when the City decides to use its banked supply. The magnitude and availability of banked supply to be delivered will be discussed with WID at an appropriate time(s) in the future.

TABLE 3-6 DEMAND PROJECTIONS FOR WHOLESALE SUPPLY

WHOLESALE SUPPLY	PROJECTED DEMAND ^a					
	2005	2010	2015	2020	2025	2030
WID Surface Water, AFY	0	6,000	6,000	6,000	6,000	6,000

a. Subject to change with WID and City approval. Although the City may take water deliveries in excess of 6,000 AFY from its "banked" supply, no formal plans to do so have been developed at this time.

TABLE 3-7 AVAILABILITY PROJECTIONS FROM WHOLESALE SUPPLIER

WHOLESALE SUPPLY	PROJECTED AVAILABILITY ^a					
	2005	2010	2015	2020	2025	2030
WID Surface Water, AFY	6,000	6,000	6,000	6,000	6,000	6,000

- a. Subject to change with WID and City approval. Although the City may take water deliveries in excess of 6,000 AFY from its "banked" supply, no formal plans to do so have been developed at this time.
- b. Reliability of WID supply is indicated in the City's contract with WID in Appendix D.

Wholesale supply reliability is presented in Chapter 6. Although changes in deliverable volumes of water for future hydrologic scenarios have not been formally predicted at this time, Chapter 6 presents the most restrictive possible cases for the future.

CHAPTER 4. WATER DEMAND

4.1 Past, Current, and Projected Water Demand

Water demand projections provide the basis for sizing and staging future water supply facilities. Water use and production records, combined with projections of population and urban development, provide the basis for estimating future water requirements. This chapter presents a summary of available demographic and water use data and the resulting projections of future water needs for the City.

4.1.1 Past and Current Water Demand

Records of historical water production were obtained from the City's Public Works Department. These data include both maximum day and annual water production. Water production is the volume of water measured at the source, which includes all water delivered to residential, commercial, and public authority connections, as well as unaccounted-for water.

Annual Water Production

Groundwater production from 1970 to 2004 is presented in Table 3-2. Total water production in 2004 was 17,011 acre-feet (AF). Water use by customer class can only be estimated, as most of the Utility's customers are not currently metered.

Maximum Day Demand

Daily demand fluctuates throughout the year, due primarily to seasonal climate changes. Water demands are significantly higher in the summer than the winter. System production facilities must be sized to meet the demand on the maximum day of the year, not just the average. Water systems are sized to meet the greater of 1) the maximum day demands plus fire flow, or 2) peak hour demand. Fire flow and peak hour demand are not addressed in this UWMP.

The average day and maximum day demands for years 1977 through 2004 are presented in Table 4-1. The maximum day demand in 2004 was 19,014 gpm, in comparison with the total well production capacity of 35,210 gpm. The ratio between average and maximum day demands provides a maximum day peaking factor that can be used to scale annual demand projections to maximum day levels. The average maximum day peaking factor from 1995 to 2004 is 1.91.

TABLE 4-1 MAXIMUM DAY DEMAND AND PEAKING FACTORS

YEAR	ANNUAL AVERAGE			MAXIMUM DAY		
	AFY	MGD	GPM	MGD	GPM	PEAKING FACTOR ^b
1977	10,578	9.44	6,556	19.28	13,389	2.04
1978	11,478	10.25	7,118	-- ^a	--	-- ^a
1979	12,349	11.02	7,653	22.50	15,625	2.04
1980	12,312	10.99	7,632	24.00	16,667	2.18
1981	12,487	11.15	7,743	22.34	15,514	2.00
1982	11,560	10.32	7,167	21.30	14,792	2.06
1983	11,539	10.30	7,153	21.67	15,049	2.10
1984	13,997	12.50	8,681	26.20	18,194	2.10
1985	14,814	13.22	9,181	-- ^a	--	-- ^a
1986	15,081	13.46	9,347	26.91	18,688	2.00
1987	15,305	13.66	9,486	27.00	18,750	1.98
1988	15,360	13.71	9,521	28.40	19,722	2.07
1989	14,654	13.08	9,083	28.50	19,792	2.18
1990	15,387	13.74	9,542	24.29	16,868	1.77
1991	13,313	11.88	8,250	21.55	14,965	1.81
1992	13,985	12.48	8,667	24.00	16,667	1.92
1993	14,013	12.51	8,688	24.10	16,736	1.93
1994	14,301	12.77	8,868	22.94	15,931	1.80
1995	14,390	12.85	8,924	24.64	17,111	1.92
1996	15,102	13.48	9,361	27.93	19,396	2.07
1997	16,330	14.58	10,125	28.68	19,917	1.97
1998	14,461	12.91	8,965	29.66	20,597	2.30
1999	16,587	14.81	10,285	28.32	19,667	1.91
2000	16,724	14.93	10,368	29.48	20,472	1.97
2001	17,108	15.27	10,606	30.10	20,903	1.97
2002	16,641	14.86	10,317	28.70	19,931	1.93
2003	16,185	14.45	10,034	26.68	18,530	1.85
2004	17,011	15.19	10,546	27.38	19,014	1.80
Average 1977 – 2004		13.48	9,364	27.45	19,063	1.93
Average 1995 – 2004		14.94	10,374	28.62	19,873	1.91

a. Data unavailable

Source: City of Lodi Public Works Department

b. Maximum day peaking factor = maximum day demand/annual average day demand

Unaccounted-for Water

Unaccounted-for water use is unmetered water use, such as water use for fire protection and training, system and hydrant flushing, sewer cleaning, system leaks, and unauthorized connections. Unaccounted-for water can also result from meter inaccuracies. Since the City's system is not completely metered, data are unavailable

for determining the percent of unaccounted-for water. Unaccounted-for water is generally assumed to equal approximately 10% of total water production.

Unit Water Use

Recent historical unit water use, expressed as gallons per capita per day (gpcd), is shown in Table 4-2. These unit demands include commercial usage, industrial usage, and unaccounted-for water.

TABLE 4-2 RECENT HISTORICAL UNIT WATER USE

YEAR	POPULATION	UNIT WATER USE ^a , GPCD
1999	56,926	260
2000	57,763	258
2001	58,600	261
2002	59,431	250
2003	60,521	239
2004	61,325	248

a. Based on total municipal water production provided by City of Lodi staff.

4.1.2 Future Water Demand

Future water demands are estimated based on 1) a constant 1.5% annual increase in the City's demand, 2) a constant 1.5% annual increase in the number of service connections, 3) the assumption that the City will install and begin reading water meters at a rate of approximately 950 per year, starting in 2006 or 2007, and 4) the assumption that as existing service connections become metered they will exhibit slightly lower unit demand factors than existing service connections without meters. It has been assumed that a residential service connection will exhibit a demand reduction of approximately 15%¹ once billing has commenced at commodity rates. Demands were projected based on actual water use in 2004. These projections are shown in Table 4-5 and illustrated in Figure 4-1. By 2030, average annual water demands² are expected to have increased from current demands by approximately 20%, from about 19,800 AFY (17.7 mgd) in 2005 to 23,800 AFY (21.2 mgd) in 2030. Demand projections by water use sector are presented in Table 4-3.

The projections in Table 4-5 represent normal (average) conditions, as actual use varies based on a number of factors. For this reason, it can be expected that there will be variations in the City's future water usage. The values predicted in these tables have been used in this UWMP, as they are assumed to represent average conditions of water demand.

¹ Based on 1) information from the California Urban Water Conservation Council (CUWCC, 2005, and 2) judgment of City of Lodi staff

² Including 2,500 AFY currently being recycled in the vicinity of WSWPCF

TABLE 4-3: PAST, CURRENT, AND PROJECTED WATER USE BY CUSTOMER CLASS (Guidebook Table 12)^a

Year	Customer Class	Unmetered Connections ^c	Unmetered Deliveries ^{f,G} , AFY	Metered Connections ^{e,H}	Metered Deliveries ^{c,F,G} , AFY	Total Number of Connections	Total Municipal Deliveries ^d , AFY
2001	SFR	15,410	10,071	0	0	15,410	10,071
	MFR	577	2,828	0	0	577	2,828
	Commercial/Institutional	310	569	950	1,744	1,260	2,313
	Industrial	0	0	53	1,632	53	1,632
	Landscape	8	73	21	191	29	264
	TOTAL^b	16,300	13,500	1,000	3,600	17,300	17,100
2005	SFR	16,537	9,955	0	0	16,537	9,955
	MFR	639	2,882	0	0	639	2,882
	Commercial/Institutional	310	750	1,018	2,462	1,328	3,211
	Industrial	0	0	56	945	56	945
	Landscape	8	76	23	219	31	295
	TOTAL^b	17,500	13,700	1,100	3,600	18,600	17,300
2010	SFR	13,205	7,949	4,610	2,775	17,815	10,725
	MFR	509	2,294	180	811	688	3,105
	Commercial/Institutional	249	602	1,182	2,858	1,431	3,459
	Industrial	0	0	60	1,018	60	1,018
	Landscape	0	-2	34	320	33	318
	TOTAL^b	14,000	10,800	6,100	7,800	20,000	18,600
2015	SFR	8,730	5,255	10,462	6,298	19,192	11,554
	MFR	334	1,504	408	1,840	742	3,345
	Commercial/Institutional	159	384	1,382	3,343	1,541	3,727
	Industrial	0	0	65	1,094	65	1,094
	Landscape	0	0	36	345	36	345
	TOTAL^b	9,200	7,100	12,400	12,900	21,600	20,100
2020	SFR	4,255	2,561	16,420	9,885	20,675	12,446
	MFR	158	715	640	2,888	799	3,603
	Commercial/Institutional	69	167	1,591	3,848	1,660	4,015
	Industrial	0	0	70	1,178	70	1,178
	Landscape	0	0	39	372	39	372
	TOTAL^b	4,500	3,400	18,800	18,200	23,200	21,600

Continued on next page

Year	Customer Class	Unmetered Connections ^c	Unmetered Deliveries ^{f,g} , AFY	Metered Connections ^{e,h}	Metered Deliveries ^{c,f,g} , AFY	Total Number of Connections	Total Municipal Deliveries ^d , AFY
2025	SFR	0	0	22,273	13,409	22,273	13,409
	MFR	0	0	861	3,884	861	3,884
	Commercial/ Institutional	0	0	1,788	4,324	1,789	4,324
	Industrial	0	0	75	1,269	75	1,269
	Landscape	0	0	42	401	42	401
	TOTAL^b	0	0	25,000	23,300	25,000	23,300
2030	SFR	0	0	23,994	14,445	23,994	14,445
	MFR	0	0	927	4,181	927	4,181
	Commercial/ Institutional	0	0	1,927	4,659	1,927	4,659
	Industrial	0	0	81	1,371	81	1,371
	Landscape	0	0	45	428	45	428
	TOTAL^b	0	0	27,000	25,100	27,000	25,100

- The term "Guidebook X" refers to the table in the Guidebook to Assist Water Suppliers in the Preparation of a 2005 Urban Water Management Plan by DWR.
- Rounded to the nearest hundred.
- Does not reflect demand reductions as a result of meter implementation. Refer to Table 4-5 for water savings as a result of meter implementation.
- Does not include 2,500 AFY currently being recycled in the vicinity of WSWPCF.
- Assumes 10 dwelling units per MFR connection.
- Assumes 75% of total water deliveries go to SFR and MFR connections. This assumption is based on recent water usage statistics for the City, and is consistent with historical per capita water usage.
- Assumes that the per-dwelling-unit demand factor for MFR connections is 75% of the unit demand factor for SFR connections.
- Assumes that approximately 950 existing connections are retrofitted with meters every year between 2006 and 2025. The actual rate at which meters are installed/retrofitted may be greater.

4.2 Sales to Other Agencies

At the present time, the City does not foresee any opportunities for sales to other agencies.

4.3 Other Demands

Other water uses and losses in the City's service area are presented in Table 4-4 below. The 2,500 AFY shown for recycled water includes the amount of water currently used to irrigate land in the vicinity of WSWPCF. Although the land is irrigated with non-potable secondary treated wastewater, the 2,500 AFY must be subtracted from the total amount of wastewater available to the City for reclamation and reuse in municipal applications. For the purposes of this UWMP, therefore, the 2,500 AFY is considered a demand.

TABLE 4-4 ADDITIONAL WATER USES AND LOSSES (Guidebook Table 14)

WATER USE	2000	2005	2010	2015	2020	2025	2030
Recycled Water ^a	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Unaccounted for System Losses ^b	1,672	1,727	1,774	1,801	1,837	1,883	2,029
TOTAL	4,172	4,227	4,274	4,301	4,337	4,383	4,529

- a. Reflects the amount of recycled water currently recycled in the vicinity of WSWPCF. Does not include 1 mgd promised by the City in a "will serve" letter to Northern California Power Agency, as the power plant that would utilize this water is only potential at this time.
- b. Unaccounted-for system losses are generally assumed to be approximately 10% of total water production. Because water usage is measured at the City's wells, unaccounted-for water is "accounted for" in the City's total demand projections in Table 4-5 (i.e., it should not be added to the demands in Table 4-5).

4.4 Total Demands

The City's total average annual demands are presented in Table 4-5 and Figure 4-1. For the purposes of this UWMP, only the projected future demands with conservation are considered in subsequent analyses. It should be noted that while Table 4-3 includes projections for municipal demands only, Table 4-5 includes a demand of 2,500 AFY for non-municipal recycling (refer to previous section).

TABLE 4-5 TOTAL DEMANDS (Guidebook Table 15)

YEAR	2005	2010	2015	2020	2025	2030
Demand (AFY)						
Without Conservation ^a	19,800	21,100	22,500	24,100	25,800	27,600
With Conservation ^{a,b}	19,800	20,400	20,900	21,600	22,300	23,800

- a. Includes 2,500 AFY of recycled water currently recycled in the vicinity of WSWPCF. Table 4-3 includes municipal demands only, and therefore does not match this table.
- b. Assumes a 15% reduction in demand for metered residential service connections.

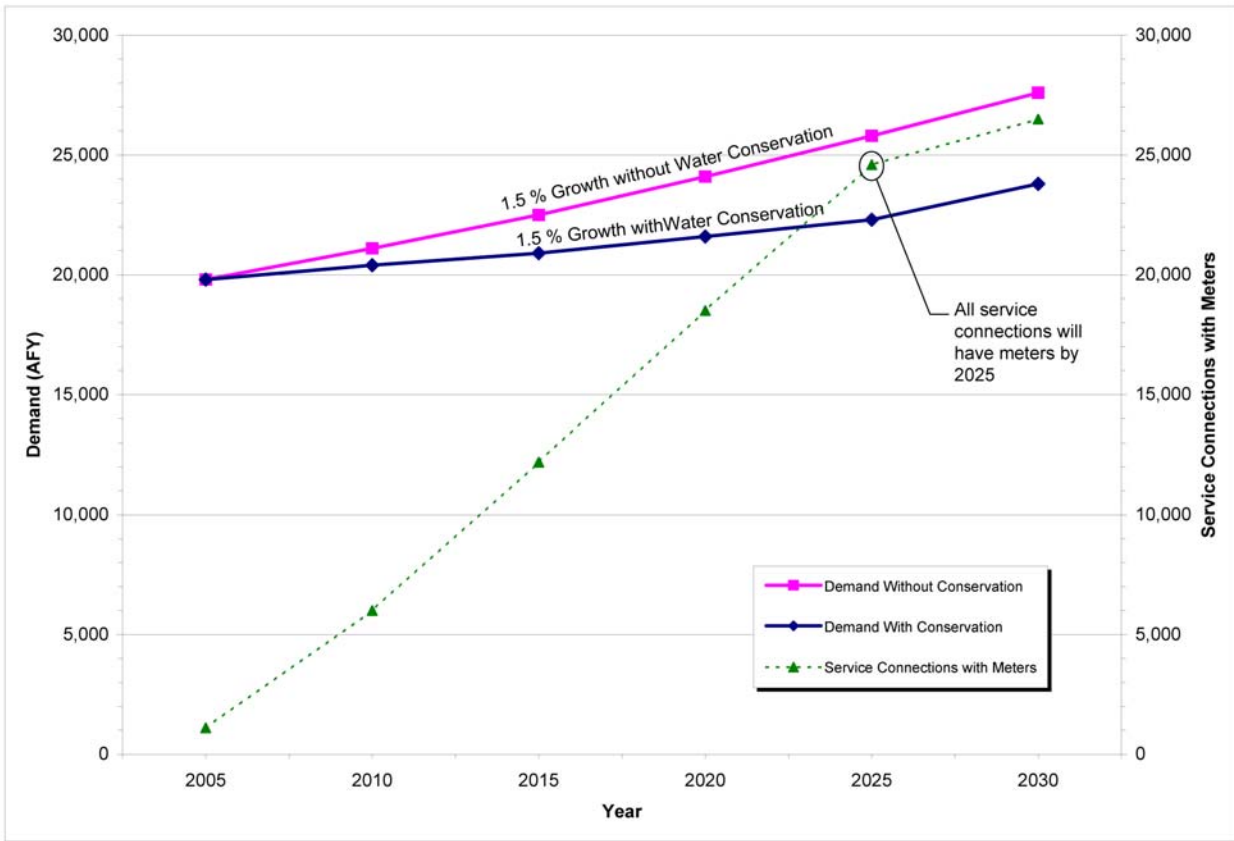


FIGURE 4-1: PROJECTED WATER DEMAND

STEP 4 - DOCUMENTING DRY YEARS SUPPLY

Also EXCERPTED from the 2005 UWMP to provide the data outlined in Step 4 of the Guidelines for Implementation of SB 610 are pages 6-1 to 6-4 with sections entitled as follows:

Chapter 6 Water Supply Reliability

6.1 Climate

6.1.1 Reliability and Vulnerability of Water Supply to Seasonal or Climatic Changes

6.2 Projected Normal Water Year Supply

6.3 Projected Single Dry Year Supply

6.4 Projected Multiple Dry Year Supply

6.4.1 Minimum Supply Volumes for Next Three Years

6.4.2 Basis for Normal, Single Dry, and Multiple Dry Year Water Data

6.5 Supply Inconsistencies

The Excerpts noted above are as follows:

CHAPTER 6 WATER SUPPLY RELIABILITY

This section provides a description of the potential variability in the City's water supplies caused by environmental, legal, and climatic factors, as well as the steps being taken by the City to address these potential concerns.

6.1 Climate

In California, climate can significantly affect the reliability of water supplies in certain regions. This section analyzes the vulnerability of the City's water supplies to climatic effects.

6.1.1 Reliability and Vulnerability of Water Supply to Seasonal or Climatic Changes

Groundwater

Although the City's groundwater basin is replenished in part by the Mokelumne River, the annual quantity of groundwater available does not vary significantly due to seasonal or climatic changes. Additionally, seasonal or climatic changes are not expected to impair the City's ability to extract groundwater, as seven of the City's wells are equipped with emergency generators.

Surface Water

The reliability of the City's surface water supply may be affected by drought. The City's contract for surface water delivery from WID, which diverts water from the Mokelumne River, is subject to curtailments of up to fifty percent during dry years. WID is required by the contract to annually provide the City, on or about May 1, with a preliminary estimate of whether or not the City's deliveries will be curtailed in a

given year. Final estimates of any curtailment in a given year must be provided to the City on or about July 1.

Recycled Water

The amount of recycled water available to the City comes primarily from indoor water use within the City's limits and is not expected to fluctuate significantly due to seasonal or climatic changes.

6.2 Projected Normal Water Year Supply

During normal water years, no curtailments or other reductions in supply are expected for any of the City's supplies. The projected normal water year supplies from 2010 to 2030 are shown in Table 6-1.

TABLE 6-1 WATER SUPPLY RELIABILITY (Guidebook Table 8)^a

WATER YEAR TYPE	SUPPLY TYPE	2010	2015	2020	2025	2030
Normal	Groundwater, AFY	15,000	15,000	15,000	15,000	15,000
	Surface Water, AFY	6,000	6,000	6,000	6,000	6,000
	Recycled Water ^b , AFY	7,700	8,300	8,940	9,630	10,380
	TOTAL^c, AFY	28,700	29,300	29,900	30,600	31,400

- a. The term "Guidebook X" refers to the table in the Guidebook to Assist Water Suppliers in the Preparation of a 2005 Urban Water Management Plan by DWR.
- b. Extrapolated from the amount of wastewater treated in 2004. Assumes that the permitted capacity of WSWPCF will be increased as necessary.
- c. Rounded to the nearest hundred

6.3 Projected Single Dry Year Supply

During single dry water years, there may be up to a 10.5% reduction³ in the City's normal combined water supplies, reflecting a 50% curtailment in the City's surface water supply by WID. No reductions are assumed for the City's recycled water or groundwater supplies. The projected single dry water year supplies from 2010 to 2030 are shown in Table 6-2.

6.4 Projected Multiple Dry Year Supply

Because the City's surface water supply is the only supply that is considered to be susceptible to dry water years, and because 50% is the maximum annual curtailment allowed under the City's contract with WID, supplies available during multiple dry water years are assumed to be no different than supplies available during single dry water years. The projected multiple dry water year supplies from 2010 to 2030 are shown in Table 6-2.

³ Assuming the amount of available recycled water increases over time, the maximum percent reduction projected will decrease from 10.5% in 2010 to 9.6% in 2030.

TABLE 6-2 SINGLE DRY AND MULTIPLE DRY WATER SUPPLY PROJECTIONS (Guidebook Table 8)

WATER YEAR TYPE	SUPPLY TYPE	2010	2015	2020	2025	2030
Single Dry	Groundwater, AFY	15,000	15,000	15,000	15,000	15,000
	Surface Water, AFY	3,000	3,000	3,000	3,000	3,000
	Recycled Water ^a AFY	7,700	8,300	8,940	9,630	10,380
	TOTAL^c AFY	25,700	26,300	26,900	27,600	28,400
Multiple Dry	Groundwater, AFY	15,000	15,000	15,000	15,000	15,000
	Surface Water, AFY	3,000	3,000	3,000	3,000	3,000
	Recycled Water ^a AFY	7,700	8,300	8,940	9,630	10,380
	TOTAL^c AFY	25,700	26,300	26,900	27,600	28,400
Summary	Single Dry Water Year, AFY	25,700	26,300	26,940	27,630	28,380
	% of Normal	90%	90%	90%	90%	90%
	Multiple Dry Water Years, AFY	25,700	26,300	26,940	27,630	28,380
	% of Normal	90%	90%	90%	90%	90%

a. Extrapolated from the amount of wastewater treated in 2004. Assumes that the permitted capacity of WSWPCF will be increased as necessary.

b. Rounded to the nearest hundred

The future supply volumes presented in Sections 6.2 to 6.4 represent the water to which the City has the legal rights to use. This should not be confused with water that can readily be distributed to the Utility's customers, as additional infrastructure must be constructed before the total volumes presented in the tables above can be distributed to the City. In order to provide the City with surface water, for example, intake facilities, a surface water treatment plant, and additional distribution pipeline could be required.

6.4.1 Minimum Supply Volumes for the Next Three Years

Under agreements with the East Bay Municipal Utilities District (EBMUD), WID obtains water stored in Pardee and Comanche reservoirs. Since both of these reservoirs are currently full, supply volumes for the City of Lodi for the next three years are expected to be "normal." However, the minimum supply volumes for 2006 through 2008, or the supplies available if the City's contract with WID faced maximum curtailments, are presented in Table 6-3.

TABLE 6-3 MINIMUM SUPPLY VOLUMES FOR 2006-2008 (Guidebook Table 24)

SUPPLY TYPE	2006	2007	2008
Groundwater, AFY	15,000	15,000	15,000
Surface Water, AFY	3,000	3,000	3,000
Recycled Water, AFY	7,200	7,300	7,400
TOTAL, AFY	25,200	25,300	25,400

6.4.2 Basis for Normal, Single Dry, and Multiple Dry Year Water Data

The data presented in Sections 6.2 through 6.4 were developed based on 1) the assumptions that the City's groundwater and recycled water supplies are not susceptible to short term drought conditions, and 2) the City's contract with WID. Since the City's contract with WID is relatively new, there have been no historical curtailments in the City's surface water supply upon which to base future dry water year projections. Hence, the maximum allowable curtailment has been assumed for these circumstances. The base year for all water year data is 2005.

TABLE 6-4 BASIS OF WATER YEAR DATA (Guidebook Table 9)

WATER YEAR TYPE	BASE YEAR
Normal	2005
Single Dry	2005
Multiple Dry	2005

6.5 Supply Inconsistencies

Water supply from the City's only wholesale supplier, WID, is susceptible primarily to drought conditions, when diversions from the Mokelumne River may be reduced by WID. Due to the infancy of this contract, there are no historical reductions upon which to base assumptions. Even in the most severe drought conditions, however, WID may only reduce the City's supply by 50%. Supply reliability projections for this source are presented in Table 3-7.

Water supply from the City's groundwater wells is considered to be very consistent. Historical fluctuations in groundwater levels due to changes in climatic conditions have been minor, and have not significantly impacted well production capacity. Additionally, six of the City's wells are equipped with granular activated carbon (GAC), and provide added insurance against inconsistencies caused by the presence of contaminants in the City's aquifer. Finally, the availability of seven emergency generators at various well locations ensures the City's ability to extract groundwater during extended power outages.

As discussed previously, the groundwater basin underlying the City is in overdraft, and groundwater levels are decreasing by approximately 0.39 ft/yr. From an extraction standpoint, however, this is a relatively slow process, and the City does not anticipate that overdrafting conditions will significantly impact its ability to extract groundwater in the short term. However, the City remains committed to eliminating the overdraft condition in the long term and has been an active participant in actions to accomplish this task. As a member of GBA, the City has participated in the development of regional groundwater recharge and conjunctive use programs intended to replenish Eastern San Joaquin County's groundwater basin and promote sustainability for the future. A copy of the GBA Groundwater Management Plan is included in Appendix F.

Recycled water supply for the City is considered to be very consistent. Indoor water consumption by the City's customers, which does not significantly fluctuate with climatic conditions like outdoor water use, is the source of the City's recycled water supply. As such, the amount of recycled water available to the City is not expected to fluctuate in the future; indeed, as the number of water and sewer connections increase, so too will the City's recycled water supply.

As a result of the relative consistency of the City's water supplies, there are no plans at this time to replace any of the City's supply sources with alternative sources. The City is part of a group of Eastern San Joaquin County water users negotiating a conjunctive use project with EBMUD. Recently, however, negotiations surrounding this project have stagnated. Although this project bears the possibility of increasing the City's future water supplies, for the purposes of this UWMP this potential supply is not reflected in Table 3-5.

CHAPTER 5: STEPS 3 AND 4 - DOCUMENTING DEMAND EFFECTS OF THE PROJECT

BACKGROUND

From City records, the total water deliveries in 2004 were 17,011 AFY or 15.18 MGD and the population for the City was 61,325. The annual population growth rate has been estimated at 1.5% from 2004 to 2030. Also in 2004, water use per capita was 248 gpcd in comparison to 285 gpcd estimated in 1987. This is a citywide average that includes commercial, industrial, and public water use.

The Westside/SW Gateway Project area consists of 409.5 acres of agricultural land and residences. The existing water source for the land within the Project area is primarily groundwater wells. The State of California DWR has estimated that the regional average on-farm unit applied water use for irrigation in the San Joaquin region is 3.2 acre feet per year per acre¹. The current agricultural irrigation practice within the project area is either fallow or a drip system, so actual water use in the project area may be significantly less than the regional average.

¹California Department of Water Resources, California Water Plan Update 2005 Volume 3 – Regional Reports, Chapter 7, San Joaquin River Hydrologic Region at pp. 7-14

Water Supply Considerations

The City has accepted 15,000 AFY as the demand that the groundwater basin can accept without experiencing significant draw down, based upon the City's current land area.

The 2005 UWMP states that as water meters are installed, it is expected that water use by those customers will decline and, by completion of the meter installation program, water use will decrease by about 15%. In addition, other conservation methods are being pursued by the City. For planning purposes, the reduction in annual demand of the existing customers will be approximately 2500 AFY by 2030.

Table 5-1 shows the projected demand in five-year increments, 2005 to 2030.

TABLE 5-1 DEMAND PROJECTIONS^a

YEAR	DEMAND (AFY)
2005	17,300
2010	18,600
2015	20,100
2020	21,600
2025	23,300
2030	25,100

a. Refer to Table 4-3

City records provide a Vacant Land Inventory based on the City's General Plan shown in Figure 3 on page 6. The Vacant Land Inventory indicates 1033.82 acres are vacant and that 3,237 dwelling units could be developed. The Vacant Land inventory includes the Westside/SW Gateway area. Using the general plan population factors, development of the Vacant Land would result in a population growth of about 8,154 persons. The required Water supply to serve the development of the Vacant Land would amount to 2265 AFY. This estimate does not include the Planned Residential Reserve Area of the General Plan. The water supply required to serve the Vacant Land is part of the projected water demand presented in Figure 4-1 of UWMP.

The City has accepted that 15,000 AFY is the safe yield the groundwater basin can provide without experiencing significant drawdown of the water table, based upon the City's current developed land area. The Westside/SW gateway Project will expand the size of the City, increasing its ability to draw on the basin as agricultural uses are disbanded within the incorporated City limits, the safe yield would increase by 695 acre-feet per year.

$$\begin{aligned}
 \text{Increase safe yield} &= \text{project area} * \text{safe yield factor} \\
 &= 409.5 \text{ acres} * 1.7 \\
 &= 695 \text{ acre-feet per year}
 \end{aligned}$$

The City has determined that the relationship of the area of the City to the safe yield be estimated at 1.70 acre-feet per acre. The average per acre relationship of the safe yield has been calculated to be approximately 1.95 acre feet per acre per year. This calculation assumes the safe yield is uniform throughout the City. In practice, yields may vary throughout a region. For example, the groundwater safe yield in the Stockton area is 0.75 acre feet per acre per year which is 60% lower than the estimate for Lodi of 1.95 acre feet per acre per year. As the City of Lodi expands in land area, it is probable that the City's average safe yield will change. Therefore, for purposes of this WSA, the safe yield has been reduced for the newly annexed areas to 1.7 acre-feet per acre per year. Therefore, with annexation of the Westside/SW Gateway project, the City of Lodi's safe yield of the groundwater basin will increase to 15,695 AFY. Even though the current City needs exceed this amount, the basin has not yet demonstrated significant degradation and is still able to meet the City's needs in the short term. Regardless, the proposed project would contribute to this overdraft.

With the firm water supply of 21,000 AFY (15,000 AFY + 6,000 AFY) shown in the 2005 UWMP, plus an additional 695 AFY from the expansion of the City, the following Table 5-2 illustrates the projected water supply for the City with the Project included.

TABLE 5-2 WATER BALANCE CALCULATION (All Numbers are in AFY)

Existing Water Demand	17,011
Less Metered Reduction of 15% (per UWMP)	(2,500)
Westside/SW Gateway Water Demand*	887
Vacant Land Water Demand	1,378
TOTAL WATER DEMAND	16,776
Available Groundwater Supply	15,000
Available Groundwater Westside/SW Gateway	695
Available Surface Water Supply	6,000
TOTAL WATER SUPPLY	21,695
Available Reserve**	4,919

* See Table 5-3 for details.

** Total Water Supply less Total Water Demand

The ongoing water metering program and the implementation of a surface supply by the City will provide sufficient water to meet the projected needs of the City.

Table 5-2 above outlines the water balance for the City based on current use by existing development, projected demand by development of existing vacant land within the City and the additional demand generated by the development of the Westside/SW Gateway Project.

If development of Vacant Land is considered to occur over the planning period, the water demand resulting from development of the Vacant Land would be included in the overall demand calculations as presented in Table 5-2 and, therefore, demand would approximately equal the supply by about 2020. The City would need to plan to provide additional firm water supplies to serve growth beyond 2020.

Other Water Supply Considerations

The above scenarios are based on a static available supply, which is not practical for two reasons. First, as noted in the 2005 UWMP, the City is already considering obtaining additional surface water supplies from Woodbridge Irrigation District. The City also retained Schlumberger Water Services to prepare a "Surface Water Supply Options" study in 2004 to determine how best to utilize the newly acquired surface water. Second, the calculation of a safe yield for groundwater extraction of 15,000 AFY, outlined in the 2005 Urban Water Management Plan, and accepted by the City, was calculated based upon Lodi's current water use less its proportion of the overall basin overdraft based on area. Therefore, as the City's land area increases through annexations, the City's estimated proportion of the safe yield of the aquifer will also

increase. The City has determined that the per acre relationship of the safe yield should be estimated at a conservative 1.70 acre feet per acre.

The current contract with WID for 6,000 AFY also provides for carry over or banking of water not taken over the first three years of the agreement not to exceed 18,000 acre feet. The City may take delivery of the banked water over the 40-year term of the agreement. The agreement also provides for later delivery of water if delivery is curtailed by dry years. The WID reports that in the past 16 years, their entitlement has only been curtailed in two years (back-to-back). (Anders Christensen, WID General Manager to Lodi City Council, June 21, 2006) The City's contract provides that curtailment amounts are "banked" on paper and are to be made up in wetter years. Thus, the impact of short-term increases in groundwater pumping will be mitigated. When the WID surface water supplies and banked water are added to the groundwater supplies, water supplies will be available for the projected planning period of 2005 to 2030 and beyond.

The improvements to implement the use of the surface water are included in the City's planning as well as consideration of other appropriations discussed in the Schlumberger report. While all routes to obtain new water sources need to be studied, they are not relevant to this Water Supply Assessment as the Contract with WID provides a firm water supply that the City has committed to utilize and will be able to make available to provide supplemental water to meet project and other future demands through 2030.

The City is not obligated to reduce the recommended safe yield relationship of 1.95 acre feet per acre, but has voluntarily agreed to implement this reduction in the near term. Until the WID surface water supply is on-line, the City will continue to utilize existing groundwater supplies.

The City has developed a comprehensive approach to address the groundwater overdraft issue. The City's 2005 Urban Water Management Plan identifies the following five strategies that are being implemented to resolve the overdraft issue.

1. **Establishment of a Water Conservation Program.** The City has already established a Water Conservation Ordinance and a Water Conservation Rebate program that has shown reductions in demand. Continued implementation of these programs will reduce the current overdraft condition and will eventually develop surplus capacity that could be used to meet the needs of the Project.
2. **Establishment of a Recycled Water System.** The City has developed a water reuse program and is treating water for reuse at the Wastewater Treatment Plant. Currently, this water is being distributed to area farmers, thereby reducing their groundwater and surface water demands and improving the overall regional water balance. Expansion of this program is being planned and the incorporation of recycled water for landscape areas and other acceptable uses will further reduce demand on the groundwater basin.

3. **Development of Groundwater Recharge Systems.** The City is looking into groundwater recharge systems. Such systems are not currently considered for the Westside/SW Gateway project, although other developments around the City are including such systems to provide additional groundwater recharging, thus improving the City's water balance.
4. **Development of Surface Water Treatment.** The City has acquired an additional 6,000 AF of water rights from Woodbridge Irrigation District. The City is considering developing a water treatment plant to provide additional water supply for the City consumers. This surface water could also be used as groundwater recharge supply as an alternative as outlined above.
5. **Development of Additional Water Wells.** Wells provide an efficient means of providing for peak day and peak hour water demands by providing a distributed water source system. Adding additional wells does not necessarily increase groundwater usage, especially if those wells are used primarily to meet peak day, peak hour or emergency water demands. Alternately, implementation of additional storage may reduce the need for more peak wells.

The project to implement use of the WID surface water is anticipated to be developed before 2010. Prior to 2010, the proposed project would rely on the groundwater basin for water supply. As presented in Table 5-3, the proposed Project is projected to use 887 AFY.

Water conservation and water meter retrofit programs have been implemented by the City to reduce water demands within the community. These programs will continue and expand in the future. Recycled water use has been implemented at White Slough Water Pollution Control Facility to reduce agricultural demands on the groundwater basin. Expanded recycled water use programs are under study and will be implemented in the future. As presented in Table 5-2, the long-term water demands for the community will be served by a conjunctive supply program including groundwater, surface, and conservation.

Effect of the Westside/SW Gateway Project

Based upon the planned land uses for the Westside/SW Gateway Project shown in Table 1, on page 1, the estimated project demand was calculated using Standard demand rates as outlined in the Water Distribution Systems Handbook, by Larry W. Mays, McGraw-Hill 2000. Expected demand increase for the project has been calculated as 887 AFY.

TABLE 5-3 ESTIMATED WATER DEMAND – WESTSIDE/SW GATEWAY PROJECT

LAND USE TYPE	LAND USE AREA (ACRES)	DEMAND FACTOR (GALLONS PER DAY PER ACRE)	AVERAGE DAILY DEMAND (GALLONS PER DAY)
Commercial			
Commercial	0	0	0
Subtotal	0	0	0
Office			
Office	0	0	0
Subtotal	0	0	0
Residential			
LDR	230	1,670	384,100
MDR	51	2,610	133,110
HDR	29	4,160	120,640
Subtotal	310		637,850
Parks/Open Space			
Community Park/Basin	31.05	2,020	62,721
Neighborhood Park/Upland	12.45	2,020	25,149
Trail system	6.50	2,020	13,130
Subtotal	50		101,000
Public Facility			
Fire Station	1.0	1,700	1,700
Aquatic Center	4.70	2,020	9,494
School	24.6	1,700	41,820
Subtotal	30.3		52,014
Roadway			
Roadway ROW	19.2	0	0
Subtotal	19.2	0	0
TOTAL	409.5		791,864
ESTIMATED TOTAL			887 AFY

Currently, the Westside/SW Gateway project would have a minor effect on the City's water supply system. As shown above, based on projections for the Project, the estimated Project demand would be an increase of about 5% of the current water deliveries.

The safe yield for groundwater extraction outlined in the Urban Water Management Plan and accepted by the City is 15,000 AFY. Adding the Westside/SW Gateway

Project annexation and using a ratio of 1.70 as determined by the City may ultimately increase the safe yield to 15,695 AFY but the designated water supply for the project is surface water purchased from WID. The Westside/SW Gateway Project water demand will initially begin at zero and gradually increase to 887 AFY as the project is developed. The phased increase in demand will allow for the City to implement a program to use the surface water.

CONCLUSION AND RECOMMENDATIONS

- The current water supply of the City of Lodi is consistent, reliable, and meets all EPA quality requirements. The quantity is adequate for the projected growth as presented in the 2005 UWMP.
- Water supplies are available to serve the Westside/SW Gateway Project in accordance with the requirements included in SB 610. The total available supply of 21,695 AFY exceeds the projected demand of 16,776 AFY.
- The Westside/SW Gateway project will utilize ground water for interim supply by continuing to install wells to meet project demands. Long term, Westside/SW Gateway water demands will be met using surface water purchased from WID.
- Surface water is available under the WID contract and will be developed independently by the City on the City's schedule.
- City should continue the program to install water meters and to encourage water conservation.
- City should pursue expansion of the recycled water program to include landscape areas, parks, and other acceptable uses.

At the time of preparation of this analysis, the City of Lodi is considering two annexations, Westside/SW Gateway project and the Reynold's Ranch project. These projects are independent and will be considered for approval separately. Increasing the area of the City with the addition of both project areas also increases the City's proportion of the safe yield to 16,069 AFY.

If both projects are approved and using the information developed in the Westside/SW Gateway and Reynold's Ranch Water Supply Assessment, the water balance calculation would read as shown in Table 5-4 on the following page.

TABLE 5-4 WATER BALANCE CALCULATION (ALL NUMBERS ARE IN AFY)

Existing Water Demand	17,011
Less Metered Reduction of 15% (per UWMP)	(2,500)
Westside/SW Gateway Water Demand*	887
Vacant Land Water Demand	1,378
Reynold's Ranch Water Demand**	501
TOTAL WATER DEMAND	17,277
Available Groundwater Supply (with annexation)	15,000
Westside/SW Gateway	695
Reynold's Ranch	374
Available Surface Water Supply	6,000
TOTAL WATER SUPPLY	22,069
Available Reserve***	4,792

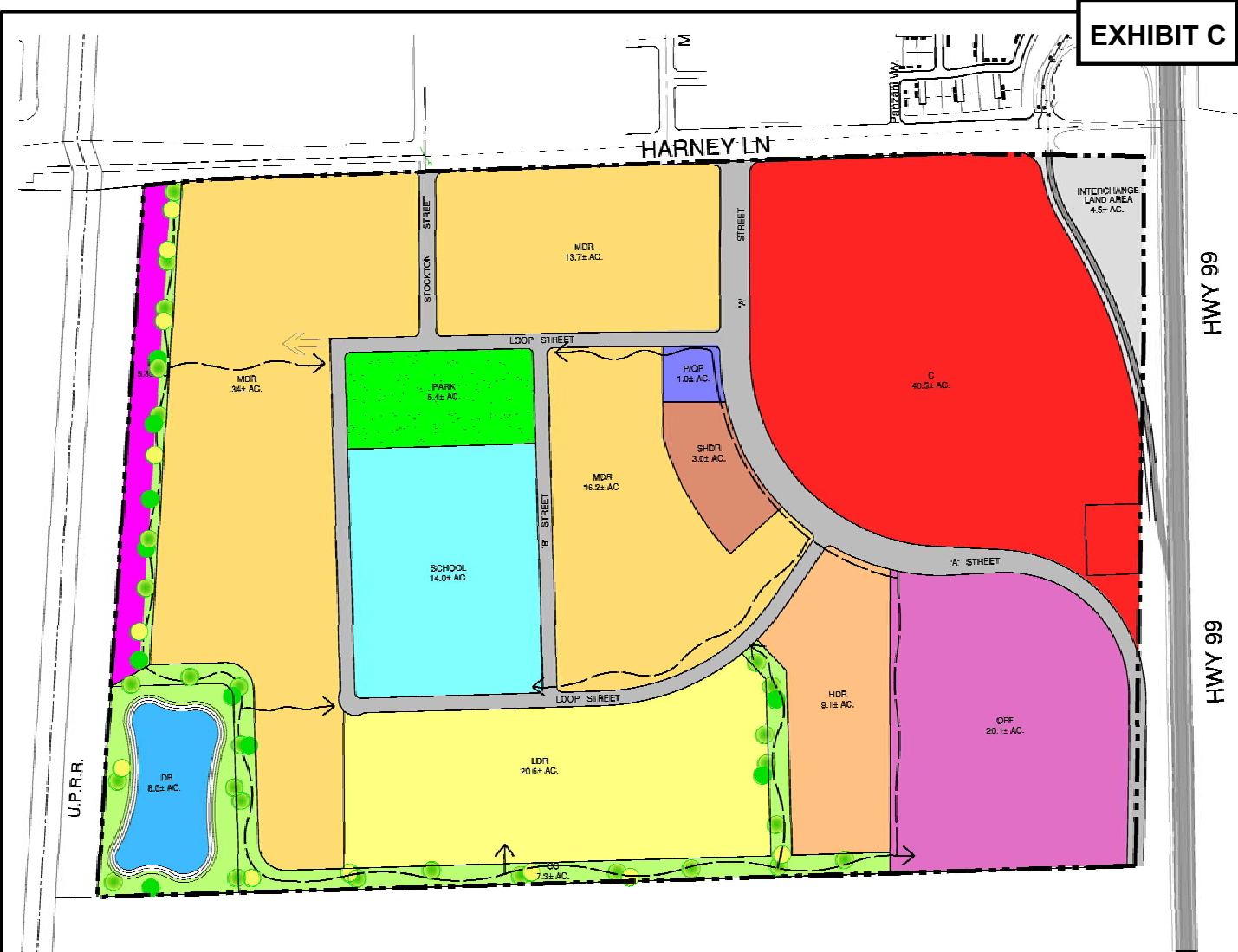
* See Table 5-3 for details

** See Reynold's Ranch project WSA, Table 5-3, for details.

*** Total Water Supply less Total Water Demand

With the Westside/SW Gateway and Reynold's Ranch projects, the water supply for single and multiple dry year conditions will exceed the projected demand.

Based upon the above analysis, the cumulative effect of the addition of both projects does not alter the conclusions and recommendations for each project.



LAND USE
REYNOLDS RANCH
CITY OF LODI, CALIFORNIA

LAND USE SUMMARY

LAND USE	ACRES	FIXED COUNT	UNITS
LOW DENSITY RESIDENTIAL	20.6	5 DU/AC	103
MEDIUM DENSITY RESIDENTIAL	63.9	10.3 DU/AC	631
HIGH DENSITY RESIDENTIAL	9.1	22 DU/AC	200
HIGH DENSITY RESIDENTIAL- SENIOR	3.0	50 DU/AC	150
RETAIL COMMERCIAL	40.5		
OFFICE	20.1		
MINI STORAGE	5.3		
PUBLIC / QUASI PUBLIC	1.0		
SCHOOL	14.0		
NEIGHBORHOOD PARK	5.4		
OPEN SPACE	7.3		
DETENTION BASIN	8.0		
INTERCHANGE/ON-RAMP	4.5		
INTERNAL STREETS	17.3		
TOTAL	220.0		1,084

FIGURE 1
REYNOLDS RANCH
WATER SUPPLY ASSESSMENT



LSA



SOURCE: DAHLIN GROUP, MARCH 2006.
[\\MOD531\wside\swgate\figure\fig_III6.w (3/9/06)]

FIGURE III-6

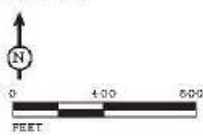
Lodi Annexation EIR
Conceptual Site Plan
for Westside Project

**FIGURE 1
LODI GENERAL PLAN
WATER SUPPLY ASSESSMENT**



FIGURE III-10

LSA



LEGEND
ONE ACRE OF THIS PARK MAY BE USED FOR A FUTURE FIRE STATION

Lodi Annexation EIR
Conceptual Site Plan for
Southwest Gateway Project

SOURCE: DAHLIN GROUP, MARCH 2006
E:\L0531\wide swgate\figures\fig_1\VB&w (3/17/06)

FIGURE 2
LODI GENERAL PLAN
WATER SUPPLY ASSESSMENT

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING WATER SUPPLY ASSESSMENT
REPORT FOR REYNOLDS RANCH PROJECT

=====

WHEREAS, the Reynolds Ranch project site is located south of Harney Lane, west of State Highway 99, and east of the Union Pacific Railroad; and

WHEREAS, the Reynolds Ranch project is 220 acres in size, and the land uses include 20 acres of offices, 40 acres of retail commercial sites, 1,084 residential units (mix of low, medium, and high density), parks, elementary school and other uses; and

WHEREAS, the annual water supply required to serve the demands of the project at completion is approximately 501 acre-feet per year.

WHEREAS, the Water Supply Assessment for Reynolds Ranch was prepared by Public Works Department staff and Willdan Consultants, in accordance with Senate Bill (SB) 610 and Water Code Section 10912; and

WHEREAS, the assessments are in the format designated in State guidelines and document that sufficient water supply is available to serve the project; and

WHEREAS, no entitlements are conferred upon this project by approving the Water Supply Assessment Report; and

WHEREAS, approval of the Water Supply Assessment Report is a prerequisite to Certification of the Final Environmental Impact Report.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby finds as follows:

1) That the data presented in the assessment report confirms that water supplies are sufficient during normal, single-dry and multiple-dry years over a 20-year planning horizon to serve the demands of existing development, planned future development within the General Plan, and this proposed project; and

2) That the Lodi City Council hereby approves the Water Supply Assessment Report for Reynolds Ranch Project and concludes that there is sufficient water supply available to serve this project.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING WATER SUPPLY ASSESSMENT
REPORT FOR WESTSIDE-SOUTHWEST
GATEWAY PROJECT

=====

WHEREAS, the Westside-Southwest Gateway project site is located westerly of Lower Sacramento Road extending to the General Plan boundary; and

WHEREAS, the project is approximately 410 acres in size, and the land uses include 2,090 residential units, elementary school, parks and other uses; and

WHEREAS, the annual water supply required to serve the demands of the project is approximately 887 acre-feet per year; and

WHEREAS, the Water Supply Assessment for Westside-Southwest Gateway Project was prepared by Public Works Department staff and Willdan Consultants, in accordance with Senate Bill (SB) 610 and Water Code Section 10912; and

WHEREAS, the assessments are in the format designated in State guidelines and document that sufficient water supply is available to serve the project; and

WHEREAS, no entitlements are conferred upon this project by approving the Water Supply Assessment Report; and

WHEREAS, approval of the Water Supply Assessment Report is a prerequisite to Certification of the Final Environmental Impact Report.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby finds as follows:

1) That the data presented in the assessment report confirms that water supplies are sufficient during normal, single-dry and multiple-dry years over a 20-year planning horizon to serve the demands of existing development, planned future development within the General Plan, and this proposed project; and

2) That the Lodi City Council hereby approves the Water Supply Assessment Report for Westside-Southwest Gateway Project and concludes that there is sufficient water supply available to serve this project.

Dated: July 19, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Request City Council to set date for joint City Council and Planning Commission kick off meeting for General Plan Update

MEETING DATE: July 19, 2006

PREPARED BY: Community Development Director, Randy Hatch

RECOMMENDED ACTION: Set date for joint City Council and Planning Commission kick off meeting for General Plan Update.

BACKGROUND INFORMATION: On May 17, 2006 the City Council entered into a contract with Dyett and Bhatia for contract services related to the update of the General Plan. After officially entering into the contract with Dyett and Bhatia (DB), planning staff had an opportunity to meet the rest of the DB team in their corporate office located in San Francisco. During that introductory meeting, planning staff went over the next steps of the General Plan Update process.

It was determined that a joint kick off meeting with the City Council and Planning Commission would be a reasonable opportunity for some initial ground work and formatting to be laid. The meetings objectives would be three fold: to review the public participation program; to identify stakeholders to be interviewed; and to discuss issues and priorities for the General Plan. The meeting is anticipated to last approximately one hour and forty minutes with Mr. Rajeev Bhatia moderating.

Earlier that same day as the meeting with City Council and Planning Commission, there will be a kick off meeting with DB, DB sub consultants, and key City Staff. At that meeting there will be introductions, an explanation of the scope of work, budget and timelines. Briefly after the staff meeting, staff will organize a short tour of the City to highlight the City's built and natural environment with respect to their strengths, weaknesses, opportunities, and restraints. The Tour will be open to anyone on the General Plan Update team of consultants, staff, and elected/appointed officials who are interested in attending. Questions regarding the details of the tour should be directed to the Planning Department.

FISCAL IMPACT: None

APPROVED: _____
Blair King, City Manager

FUNDING AVAILABLE: One million dollars (\$1,000,000) has been budgeted for this project from the Capital Improvement Program. On May 17, 2006 the City Council approved the proposal from DB for the amount of \$920,020. This action takes no additional funding.

Ruby Paiste, Interim Finance Director

Peter Pirnejad
Planning Manager

Attachment
RH/pp/kc

Randy Hatch
Community Development Director

**Lodi General Plan Update
Joint City Council/Planning Commission Workshop
DRAFT AGENDA**

Meeting Objectives

- 1. Review Public Participation Program: provide direction for any adjustments*
- 2. Discuss stakeholders to be interviewed; input for community survey*
- 3. Discuss issues and priorities for the General Plan*

Draft Agenda

1. Project and Team Introduction (Staff; 4 minutes)
2. Scope and Schedule Overview (Rajeev; 4 minutes)
3. Public Participation Program:
 - Presentation (Rajeev; 4 minutes)
 - Discussion (30 minutes)
 - Any desired changes
 - Stakeholders to be interviewed
 - Community Survey: Questions/ideas you would like to see feedback on
4. Key Issues and Priorities:
 - Rajeev (2-3 minute introduction)
 - Discussion (55 minutes):
 - If necessary, prompt by topic land use, open space preservation, etc.

Total time: approximately 1 hour 40 minutes



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$150,395.24).

MEETING DATE: July 19, 2006 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$143,782.83, and Various other cases being held by Outside Counsel in the amount of \$6,612.41.

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; and Kronick, Moskovitz, Tiedemann & Girard for services incurred relative to the Environmental Abatement Program litigation, and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

183453.732

Matter No.	Invoice No.	Date	Description	Total Amount
8002	95866	5/30/2006	People v M&P Investments	52,768.77 (2,047.00)
8003	95868	5/30/2006	Hartford Insurance Coverage Litigat	85,337.78 (650.00)
8008	95867	5/30/2006	City of Lodi v. Envision Law Group	3,668.44
	13374	5/30/2006	Keith O'Brien/PES Environmental, In	2,264.84
	6235	05/30/06	Peter Krasnoff/West Environmental	2,440.00
				<u>143,782.83</u>

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Total	Distribution	
				Amount	100351.732	183453.732
11233.001	226188	06/25/06	General advice	67.50	67.50	
11233.027	226188	06/25/06	Citizens for Open Govt.v.Col	1,516.50	1,516.50	
11233.029	226188	06/25/06	AT&T v. City of Lodi	1,259.91	1,259.91	
11233.030	226188	06/25/06	Water Supply Issues	3,768.50		3,768.50
				<u>6,612.41</u>	<u>2,843.91</u>	<u>3,768.50</u>

FISCAL IMPACT: Expenses in the amount of \$2,843,91 will be paid out of the General Fund with \$1,516.50 of that amount billed to Walmart for City's defense of the Lodi First and Citizens for Open Government litigation. The remaining expenses will be paid out of the Water Fund.

APPROVED: _____

Blair King, City Manager

FUNDING AVAILABLE: Water Fund \$147,551.33
 General Fund \$ 2,843.91

Approved: _____
 Ruby Paiste, Interim Finance Director

Approved: _____
 Stephen Schwabauer, City Attorney

PCE/TCE Litigation
 6-Month Budget Recap (January - June 2006)

MAY

Matter	6-Month Budget*	Opening Balance for 6-Month Budget	One Month Amount	Amount Billed May**	Variance from Monthly Amount	Remainder 6-Month Budget	Cumulative Billed In 6-Mo. Budget Period
M&P, Related Cases includes matters 8001, 8002, 8007	\$ 667,500	\$ 551,797	\$ 111,250	\$52,769	-\$58,481	\$ 499,029	\$168,471
Hartford Action 8003	\$ 870,000	\$ 496,498	\$ 145,000	\$3,668	-\$141,332	\$ 492,829	\$377,171
Envision Claims 8008	\$ 425,000	\$ 387,572	\$ 70,833	\$85,338	\$14,504	\$ 302,235	\$122,765
Totals	\$ 1,962,500	\$1,435,867	\$ 327,083	\$141,775	-\$185,308	\$1,294,092	\$668,408

*Approved by City Council at the midpoint of \$1,962,500 million.

**Invoices dated June 27, 2006 for period May 1 through May 31, 2006.

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